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CONTESTED ELECTION CASE

327339

OF

GEORGE D. REYNOLDS v. JAMES J. BUTLER,

FROM THE

TWELFTH CONGRESSIONAL DISTRICT
OF MISSOURI.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1903.

Checked.
May 1913

IV. P.

Election Case
Reynolds vs
Butler James J.

CONTESTED ELECTION CASE

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FROM THE

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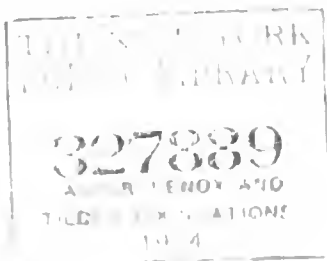
U.S. House of Representatives



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CONTESTED ELECTION CASE

OF

GEORGE D. REYNOLDS V. JAMES J. BUTLER,

FROM THE

TWELFTH CONGRESSIONAL DISTRICT OF MISSOURI.

PROTEST TO THE CLERK OF THE HOUSE OF REPRESENTATIVES.

A. McDOWELL, Esq.,
Clerk of the House of Representatives.

DEAR SIR: James J. Butler, the contestee in the above-entitled election contest, in response to your notice to be present at the city of Washington on Thursday, September 3, 1903, at the opening of what purports to be the sealed testimony and evidence in said cause and agreeing on the parts thereof to be printed, respectfully objects, protests, and excepts to the printing of any matter which purports to be testimony or evidence taken in this cause for reasons following, viz:

First. There was no evidence or testimony taken in this cause within the time prescribed by law, as will fully appear from the following statement of facts: On December 20, 1902, George D. Reynolds gave contestee notice of his intention to contest his seat in the Fifty-eighth Congress from the Twelfth Congressional district of Missouri, and on December 22, 1902, contestee answered said notice and served a copy of same on the said George D. Reynolds; that thereafter, on December 22, 1902, said George D. Reynolds served on contestee a notice of additional grounds of contest, which contestee immediately answered on December 23, 1902, and on the same day served a copy thereof upon said George D. Reynolds; that the foregoing facts will all appear from contestant's notices of contest and the returns of service on same, together with contestee's answers and the returns of service on same.

That under and by virtue of Revised Statutes, section 107, it was the duty of contestant to take such testimony as he desired to take during the forty days immediately following December 22, 1902, and that on January 31, 1903, his time for taking testimony had expired, and that under the law no official after January 31, 1903, had or could have authority to administer an oath to witnesses in this case or to take any testimony.

On February 2, 1903, contestee served upon George D. Reynolds, contestant, a notice, in writing, as follows:

ST. LOUIS, *February 2, 1903.*

GEO. D. REYNOLDS, Esq., *St. Louis, Mo.*

DEAR SIR: In the matter of your notification to me of your intention to begin the taking of depositions Monday, February 2, 1903, in your behalf, in the contested election case of Reynolds v. Butler, I hereby give notice that the same is illegal, unlawful, and in conflict with the statutes of the United States, for the following reasons, to wit:

Congress has by law regulated the form in which notice of a contested election shall be given and answered, and the time and manner in which depositions on oath of witnesses in such cases shall be taken and returned to the House of Representatives.

Section 107 of the Revised Statutes provides that:

"In all contested election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant

shall take testimony during the first forty days, the returned member during the succeeding forty days, and the contestant may take testimony in rebuttal only during the remaining ten days of said period."

Furthermore, the oath of a witness in the case of a contested election of a member of the House of Representatives is an oath authorized to be administered by the laws of the United States, and by those laws only; and the witness gives his testimony in obedience to those laws and not in the performance of any duty which he owes the State in which his testimony is taken. As your contemplated action is in direct violation of the United States laws governing cases of contested election, you can readily see the position in which your witnesses would be placed, so far as the reliability of their testimony is concerned.

In view of the mandatory provisions of the United States law governing cases of contested election, I protest against your proceeding under any "Notice to take depositions" already served upon me, or any attempt on your part to take depositions, now that your time under the law has expired, as being illegal and without the color of law.

I further notify you that should you persist in your proposed illegal and unlawful proceedings, I will not attend, either in person or by attorney, to cross-examine your witnesses, nor in any other way recognize the legality of your procedure.

Respectfully, yours,

JAMES J. BUTLER, M. C.,
Twelfth District, Missouri.

On the same day he served notice in writing on the board of election commissioners, as follows:

St. Louis, February 2, 1903.

JAMES McCAFFERY, Chairman,
JOHN M. WOOD,
LOUIS P. ALOE,
JOHN ELLSPERMANN, Jr., Secretary,
Board of Election Commissioners, St. Louis, Mo.

GENTLEMEN: I take this method of protesting against the opening of the boxes and the recounting of the ballots cast at the election held on November 4, 1902, for a Representative in Congress from the Twelfth Congressional district of Missouri, or the copying of the poll books used at said election, under authority of subpoena served upon you by George D. Reynolds or his attorneys, commanding you to appear before a notary public on Tuesday, February 3, 1903, or at any other time, for the reason that the time of contestant in the contested election case of Reynolds v. Butler expired at midnight on December 31, 1903, and that, notwithstanding that fact, he is now endeavoring to proceed in direct violation of the laws of the United States governing cases of contested election for a seat in the House of Representatives, as will be seen by inclosed copy of letter I have served upon contestant and his attorneys.

In this connection, and to assist you in arriving at the strict interpretation of the law, I respectfully refer you to the leading case, entitled "In re Loney," reported in 134 U. S., 372.

Respectfully, yours,

JAMES J. BUTLER, M. C.,
Twelfth District, Missouri.

And on the same day he served a notice in writing on Alexander Russell, notary public, as follows:

St. Louis, February 2, 1903.

ALEXANDER RUSSELL,
Notary Public, St. Louis, Mo.

DEAR SIR: I hereby protest against your taking or attempting to take depositions in behalf of the contestant in the contested election case of Reynolds v. Butler for a seat in the Fifty-eighth Congress, for the following reasons, to wit:

Congress has by law regulated the time and manner in which depositions on oath of witnesses in cases of contested elections shall be taken and returned to the House of Representatives.

Section 107 of the Revised Statutes of the United States is as follows:

"In all contested election cases, the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testimony during the first forty days, the returned member during the succeeding forty days, and the contestant may take testimony in rebuttal only during the remaining ten days of said period."

By the act of March 2, 1875, it is provided that section 107, Revised Statutes, shall

be construed as requiring all testimony in cases of contested election to be taken within ninety days from the day on which the answer of the returned member is served upon the contestant.

The answer of contestee was served upon contestant on December 22, 1902. The forty days from that date allowed contestant by section 107, Revised Statutes, in which to take depositions expired at midnight on January 31, 1903, and consequently any attempt upon his part to take testimony before you or through your instrumentality is illegal and without the color of law and in direct violation of the laws enacted by Congress governing the conduct of election contests.

Furthermore, as Congress has designated what officer may take depositions in cases of contested election, such officer (whether he is appointed by the United States, such as a judge of a Federal court or a register in bankruptcy, or by the State, such as a judge of one of its courts of record, a mayor, or recorder of a city, or a notary public) performs this function not under any authority derived from the State, but solely under the authority conferred upon him by Congress. This being the law as construed by the Supreme Court of the United States, the mere fact that you are a notary public, appointed and commissioned under the laws of the State of Missouri, does not give you the power or authority to either subpoena witnesses or hear testimony when contestant has willfully and intentionally, or even unintentionally, violated the mandatory provisions of the United States law in respect to the time in which depositions shall be taken.

Furthermore, the oath of a witness in the case of a contested election of a member of the House of Representatives is an oath authorized to be administered by the laws of the United States, and by those laws only, and the witness gives his testimony in obedience to those laws and not in the performance of any duty which he owes the State in which his testimony is taken.

As, owing to the failure of contestant to take testimony within the time required by law, you have no jurisdiction in the contested election case of *Reynolds v. Butler*, and have no authority to administer the oath to a witness, I protest against your acting or attempting to act in behalf of contestant, on the ground that such action on your part would be an illegal usurpation of power, and for the further reason that any oath you might administer to any witness would not be binding upon him.

Respectfully, yours,

JAMES J. BUTLER, M. C.,
Twelfth District, Missouri.

On February 2, 1903, contestee appeared before Notary Alexander Russell and entered his protest and objection to the taking of testimony, as follows:

GEORGE D. REYNOLDS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Mr. WALSH. Without knowing just exactly what this proceeding is, but from the fact that the gentleman who has just been sworn is Mr. George D. Reynolds, and assuming that it is his intention to take evidence in the case styled "Contested election case for a seat in the Fifty-eighth Congress from the Twelfth district of Missouri, in which George D. Reynolds is contestant and James J. Butler contestee," Mr. James J. Butler, the contestee, now protests against the taking of any evidence in this contested election case of George D. Reynolds *v.* James J. Butler, for the reason that the time which is specified under the laws of the United States in section 107 of the Revised Statutes, which provides that "in all contested election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testimony during the first forty days, the returned member during the succeeding forty days, and the contestant may take testimony in rebuttal only during the remaining ten days of said period."

By the act of March 2, 1875, laws 2d, 43, page 338, it is provided that section 107, Revised Statutes, shall be construed as requiring all testimony in cases of contested elections to be taken within ninety days from the day on which the answer of the returned member is served upon the contestant.

James J. Butler, the contestee in this case, through one of his attorneys, served George D. Reynolds with his answer on December 22, 1902; the forty days from that date allowed George D. Reynolds by law expired at midnight January 31, 1903; consequently George D. Reynolds has no rights, legally or morally, to take depositions for presentation to the Fifty-eighth Congress.

In other words, George D. Reynolds has slept on his rights, and the forty days during which Congress says testimony for contestant shall be taken have expired without his having taken any testimony whatsoever, and George D. Reynolds has, to all intents and purposes, abandoned his contest and can not now revive the same

in the time allotted to contestee in which to take testimony had he obeyed the mandatory provision of the law.

James J. Butler further objects to the taking of the depositions before any notary public, because Congress has designated what officer may take depositions in cases of contested elections: "Such officer, whether appointed by the United States, such as a judge of a Federal court or a register in bankruptcy, or by the State, such as a judge of any of the courts of record, the mayor or recorder of a city, or a notary public, performs those functions not under any authority derived from the State, but solely under the authority conferred upon him by Congress and by the Federal statutes as set out in the Federal statutes governing contested election cases or governing election matters."

This being so, and the time of George D. Reynolds having expired, no notary public or any other officer has any power to issue subpoenas or hear testimony in his behalf.

We object to the hearing of any witnesses or the swearing or the taking of an oath by any witness, for the reason that the oath of a witness in the case of a contested election of a member of the House of Representatives is an oath authorized to be administered by the laws of the United States and by those laws only, and the witness gives his testimony in obedience to those laws and not in the performance of any duty which he owes to the State in which his testimony is taken.

Now, as the contemplated action is in direct violation of the United States laws governing cases of contested election, we call attention to the position in which your witnesses would be placed so far as the reliability of their testimony is concerned. That is, they are attempting to testify under an oath administered by a person who has no right to administer such an oath under the Federal laws governing contested election cases.

In view of the mandatory provision of the United States law governing cases of contested election, James J. Butler now protests against your proceeding under any notice to take depositions already served upon him, or any attempt on your part to take depositions, now that the time of George D. Reynolds under the law has expired, as being illegal and without the color of the law.

James J. Butler further notifies you that if you persist in your purposed illegal and unlawful proceeding he will not attend either in person or by attorney to cross-examine the witnesses who may appear and pretend to testify under oath, nor in any other way recognize the legality of this procedure.

Mr. ROGERS. In the interest of the contestee, the Hon. James J. Butler, I wish the record to show that a protest signed by Judge Bond and Thomas J. Rowe of counsel for contestee has been served upon the notary who has been attempting to act here in an illegal and unlawful manner in an illegal and unlawful attempt to take depositions, protesting against his attendance, his issuing subpoenas or administering the oath to witnesses, setting out fully and specifically the reasons why this protest has been made.

I will add to my objection that in making this objection I do not wish it understood that in any manner I recognize the authority of the notary to preside or the legality of any of the proceedings on the part of the contestant and his attorneys.

Mr. JAMES J. BUTLER. I will state, as contestee, that nobody appears for me in this case except for the purpose of protesting against the irregularity and the illegality of the proceedings.

Mr. KINSEY. Are you through with your protest?

Mr. WALSH. Yes, sir.

Mr. KINSEY. Mr. Notary, have you had entered by the stenographer the appearance of counsel for the contestant?

Mr. WALSH. There is no appearance of counsel for contestee.

The NOTARY. You appear for the purpose of this objection alone?

Mr. WALSH. Yes, sir; only for this time.

CITY OF ST. LOUIS, *State of Missouri*, ss:

Frank Weller, of lawful age, makes affidavit and says that he is a member of the firm of Weller & Weller, law and general stenographers; that as such he took the stenographic notes of the above session in the contested-election case of George D. Reynolds *v.* James J. Butler, and that the above is a true and correct transcript of his stenographic notes taken at the time.

FRANK WELLER.

Subscribed and sworn to before me this 4th day of February, A. D. 1903.

FLORENCE PAILLOU,
Notary Public, City of St. Louis, Mo.

My term expires April 21, 1903.

It is self-evident from the foregoing statement of facts that no legal or valid evidence was taken in this cause and that there is no testimony or evidence in this cause to print.

Second. Because you, as the Clerk of the House of Representatives, heretofore, on the 13th day of May, A. D. 1903, gave the contestee herein notice to appear before you at the Capitol, on the — day of —, A. D. 1903, to be present at the opening of sealed packages of testimony in this cause; and that thereafter, to wit, on May 23, 1903, and before the date so fixed for the opening of the testimony taken herein, you notified contestee that there was no testimony or evidence to print in this cause, which said notice was in words and figures as follows:

MAY 23, 1903.

HON. JAMES J. BUTLER, *St. Louis, Mo.*

MY DEAR SIR: In sending out notices on the 13th instant, to open testimony in contested election cases, we inadvertently sent out notices to you and Mr. Reynolds. This was a mistake, as no testimony has been received either for contestant or contestee in the contested election case of Reynolds *vs.* Butler, and we hereby revoke the same.

Please acknowledge receipt of this communication. A similar one has been sent to Mr. Reynolds.

Very respectfully,

A. McDOWELL,
Clerk, H. R. U. S.

Third. No testimony or evidence has been transmitted and certified to you within the time prescribed by law, as required by section 127, Revised Statutes.

Fourth. There is no testimony in this cause to print, as no testimony was transmitted to the Clerk of the House of Representatives by person who pretended to take the testimony.

HENRY W. BOND and T. J. ROWE,
Attorneys for Contestee.

SEPTEMBER 3, 1903.

NOTICE OF CONTEST.

ST. LOUIS, MO., *December 20, 1902.*

MR. JAMES J. BUTLER.

SIR: You are hereby notified that I shall contest before the House of Representatives of the Fifty-eighth Congress of the United States, your right to a seat in that body as a representative from the Twelfth Congressional district of Missouri (which said Congressional district lies wholly within the city of St. Louis, and comprises all of the election precincts of the Fifth Ward, the Sixth Ward, the Thirteenth Ward, the Fourteenth Ward, the Fifteenth Ward, the Twenty-second Ward, the Twenty-third Ward, and the Twenty-fifth Ward of said city), by virtue of a general election held in said city of St. Louis and State of Missouri, and in said district, on the first Tuesday after the first Monday in November, to wit, on the 4th day of November, 1902, upon the following grounds:

First. Because, although according to the abstract of votes forwarded to the Secretary of State of the State of Missouri and proclaimed by the board of election commissioners of said city of St. Louis, Mo., there appears a prima facie plurality of 6,618 votes in your favor and against me, yet when all the legal votes cast for me at said election shall have been properly counted, and all the illegal votes cast for you, and all the false, fraudulent, irregular, and illegal ballots heretofore counted for you shall have been rejected, and only those ballots which were cast in said election for said office by persons duly and legally qualified as electors are counted, it will appear that the undersigned contestant was legally elected to said office of Representative in Congress by a plurality of all votes legally cast for said office in said district at said election.

Second. Because the judges of election in many precincts of said district rejected legal and proper ballots, proffered by duly qualified voters, and placed them in the "rejected ballot" envelopes and returned them to the board of election commissioners of said city of Saint Louis, the acting, returning, and canvassing board of election commissioners in said district, and further refused to permit at least 500 legal voters of said city and district, on said day, and who appeared at their proper polling places to vote for me, from casting their votes at such election.

Third. Because a large number, to wit, over 10,000 illegal ballots, were received and counted by the judges of election at said election in said district, which ballots were cast for you by parties not entitled to vote at said election, for the reason that they were not residents of said district or the precinct in which they voted, or did not live at the places where they purported to live, or they assumed the names of voters who were dead or had removed, or the places where they purported to live were vacant lots. The parties so voting were not legally registered voters and were not entitled to vote at said election.

Fourth. Because a large number, to wit, 2,000 duly qualified voters living in said district who had theretofore been duly registered, were wrongfully and illegally stricken from the registered lists, and although they appeared at their proper precincts on said election day and proffered their votes for me for said office their votes were refused, and said voters were illegally deprived of their right to cast their votes.

Fifth. Because in each of the precincts of the wards composing the said district a large number of ballots, exceeding 200 in each of many precincts, were counted and returned for you by the judges of election, which ballots appeared from their numbers to have been the ballots of persons whose names were on the poll books, when in truth and in fact the names on said poll books whose numbers corresponded to the numbers of said ballots were the names of persons who did not appear at said polls on said day, being either dead or myths, or persons who had never lived in said ward or district, or had removed from said ward and were for those and other reasons not entitled to vote, and whose names were voted upon by individuals unknown to me and commonly called repeaters.

Sixth. Because at said election the judges and clerks of election at many of the precincts in said city and district did not correctly count the legal ballots cast at said election for said office, and did not correctly certify and return to the board of election commissioners a correct statement of the legal votes cast for Representative in Congress in said election, but, on the contrary, counted in your favor and for you a total of 10,000 more votes which were and are fraudulent and illegal. That of said fraudulent and illegal votes there were counted, cast up, returned, and credited to you for said office 150 votes in the first precinct of the Fourth Ward, 400 votes in the second precinct of the said ward, 200 votes in the third precinct, and 200 votes in the fourth precinct of the said ward, 300 votes in the fifth precinct of the said ward, 100 votes in the sixth precinct of the said ward, 300 votes in the seventh precinct of the said ward, and 200 votes in the ninth precinct of the said ward; 100 votes in the second precinct, 200 votes in the third precinct, 400 votes in the fourth precinct, 150 votes in the fifth precinct, 150 votes in the sixth precinct, 200 votes in the seventh precinct, and 100 votes in the ninth precinct of the Fifth Ward; 200 votes in the third precinct, 300 votes in the eighth precinct of the Sixth Ward; 200 votes in the twelfth precinct of the Thirteenth Ward; 100 votes in the first precinct, 150 votes in the second precinct, 150 votes in the third precinct, 150 votes in the fourth precinct, 200 votes in the fifth precinct, 150 votes in the sixth precinct, 100 votes in the seventh precinct, 400 votes in the eighth precinct, 300 votes in the tenth precinct, 150 votes in the eleventh precinct, all of the Fourteenth Ward; 150 votes in each of the precincts of the Fifteenth Ward; 300 votes in the first precinct, 100 votes in the third precinct, 300 votes in the fifth precinct, 100 votes in the sixth precinct, 100 votes in the seventh precinct, 150 votes in the ninth precinct, 100 votes in the eleventh precinct, 150 votes in the twelfth precinct, and 100 votes in the thirteenth precinct, all in the Twenty-second Ward; 100 votes in the first precinct, 100 votes in the second precinct, 150 votes in the third precinct, 150 votes in the fourth precinct, 100 votes in the sixth precinct, 100 votes in the ninth precinct, 100 votes in the tenth precinct, 200 votes in the twelfth precinct, 300 votes in the thirteenth precinct, all in the Twenty-third Ward; and 100 votes each in the first and second precincts of the Twenty-fifth Ward.

Seventh. Because in the first, second, third, fourth, fifth, sixth, seventh, and ninth precincts of the Fourth Ward, the first, second, third, fourth, fifth, sixth, seventh, ninth, and tenth precincts of the Fifth Ward, the first, third, fourth, fifth, eighth, and twelfth precincts of the Sixth Ward, the first, second, third, fourth, fifth, sixth, eighth, tenth, and eleventh precincts of the Fourteenth Ward, the twelfth precinct of the Thirteenth Ward, the first, third, fifth, seventh, ninth, eleventh, and twelfth precincts of the Twenty-second Ward, the first, second, third, fourth, sixth, seventh, twelfth, and thirteenth precincts of the Twenty-third Ward of the city of St. Louis, all in said Twelfth Congressional district, the judges and clerks of election officiating at the polling places of said precincts were in a combination and a conspiracy, the purpose of which was to make the returns of the election in said precincts show large majorities in your favor, and in furtherance of said conspiracy said judges and clerks not only permitted repeaters and fraudulent voters to cast fraudulent ballots in said precincts, but said judges and clerks failed and neglected entirely to count the ballots cast in said voting precincts; instead of so doing and making a true return of the votes as cast, said judges and clerks, without having made any attempt to canvass and count the votes cast, did make fraudulent returns to the said board of election commissioners, in which they made wholly false and fictitious returns of the votes cast for me and for you, respectively, without any regard to the votes cast at said election in said precinct; that said judges and clerks in said precincts did make said returns show large pluralities of votes cast in your favor, whereas in truth and in fact the legal votes if actually and honestly counted would show large pluralities cast in favor of me.

Eighth. Because in the precincts and the wards mentioned in the paragraph last preceding, large numbers of fraudulent ballots were placed in the boxes which were not even cast by persons claiming to be voters, but were placed in the boxes in large quantities with the wrongful purpose of cheating and defrauding me; that among others, it appears from the returns to the said board of election commissioners that in the first precinct of the Twenty-second Ward there were 395 votes counted for you and 8 for me and 1 for Henry H. Artz, making a total of 404 votes, while as a matter of fact the total registered vote in said precinct was 208.

And I further charge that in many, if not all, of the other voting places mentioned in said last preceding paragraph said judges and clerks made return of votes cast and counted largely in excess of the number of voters registered in said precinct, and that in each case said returns were made without there having been any actual count of the ballots cast at said polling places, in each instance the return being made to

show a large plurality in your favor, which I claim was entirely fraudulent and fictitious.

Ninth. Because the returns of said election in most, if not all, of the voting precincts of the Fourth and Fifth Wards, in precincts 3, 4, and 8 of the Sixth Ward, and precinct 12 of the Thirteenth Ward, in all of the precincts of the Fourteenth Ward, in all of the precincts of the Fifteenth Ward, in precincts 1, 3, 5, 7, 9, 11, and 12 of the Twenty-second Ward, and in precincts 1, 2, 3, 4, 6, 12, and 13 of the Twenty-third Ward are untrue and entirely false; that violence was used in some of said precincts to intimidate and expel Republican challengers, judges, and clerks therefrom, which violence was encouraged, aided, abetted, and actively participated in by the police of said city; that the judges and clerks in many of said precincts misconducted themselves and acted illegally; that the fraud and misconduct in said precincts was so gross and extensive that it is impossible to ascertain the actual and legal votes cast at said precincts, and that the returns therefrom should be rejected altogether in any canvass of the election held therein.

Tenth. That at some time prior to the registration of voters held for the purpose of said election a number of persons, whose names are to me unknown, entered into a combination and conspiracy the purpose of which was to cause to be placed upon the registration lists of voters in the said city of St. Louis and in said district as legal voters the names of many unqualified persons, in order that the names of all such persons might appear as lawfully and legally registered electors of the various precincts in said district in which they were so falsely registered; that in pursuance of said conspiracy a large number of names, to wit, not less than 10,000, were procured to be wrongfully and fraudulently placed on said lists of registered voters in the several wards and precincts comprising said district; that said names were wrongfully permitted to remain upon said books by the judges and clerks of the respective election precincts in said district; that many of said judges and clerks were participants in the said unlawful combination and conspiracy; that all of said names appeared in said books on the said election day as if they were the names of duly qualified and legal electors in said precincts, when in truth and in fact none of the persons whose names were thus registered were legally qualified electors in said precincts and were in many instances mere impersonations of nonexisting persons; that all of the said names thus fraudulently and wrongfully entered on said lists ought to have been expunged therefrom by the judges and clerks acting as registering officers in the various precincts and wards comprising said district; that the said judges and clerks disregarded and neglected to perform their duty under the law, and in many cases, with full knowledge of the wrongful nature of said illegal registration, declined and refused to expunge said names so falsely registered as aforesaid, and permitted the same to remain on the lists of legal voters and thereby afforded opportunity to vote under or upon said names.

That, according to the best information that I have been able to obtain, I charge that the whole number of illegal and fraudulent votes cast at said election in said district by and through the aforesaid conspiracy is at least 10,000 votes, and I further allege and charge that that number of illegal and fraudulent votes were cast by and through the said conspiracy in favor of you in said election and that they are included among the votes returned and certified as votes cast in your favor at said election for the office of Representative in the Congress of the United States from the Twelfth Congressional District of the State of Missouri here in contest.

Eleventh. Because the law under which the aforesaid election was held and conducted, to wit, the act of the general assembly of the State of Missouri, approved June 19, 1899, entitled "An act to provide for the registration of voters in cities now having three hundred thousand inhabitants or more, etc.," commonly known as "The Nesbit law," is an unfair and partisan law contrived and enacted and used to cheat and defraud the candidates of the Republican party of their just rights and privileges at public elections, and was so used to cheat and defraud me at the election aforesaid, and I claim that the said law was used at said election to secure your return and certificate of election to the office aforesaid.

You are further notified that, within the time now provided by law or within such time as may be fixed by special order of the House of Representatives, I shall, if so advised, amend the foregoing notice and supplement the same with other and further grounds of contest.

GEO. D. REYNOLDS,
Contestant.

W. M. KINSEY,
F. E. RICHEY,
CHAS. W. HOLTkamp,
Attorneys for Contestant.

STATE OF MISSOURI, *City of St. Louis, ss:*

George B. Teasdale, of lawful age, being duly sworn, on his oath says that he served the above and foregoing notice of contest in the city of St. Louis and State of Missouri, on Saturday, the 20th day of December, A. D. 1902, by delivering a true copy thereof to James J. Butler, the aforesaid contestee, in person.

GEO. B. TEASDALE.

Subscribed and sworn to before me this the 24th day of December, A. D. 1902.

[SEAL.]

J. T. SANDERS,

Notary Public, City of St. Louis, Mo.

My term expires on the 3d day of April, 1905.

ANSWER OF JAMES J. BUTLER TO NOTICE OF CONTEST OF HIS RIGHT TO SIT AS A MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE CONGRESS NOW IN SESSION AT WASHINGTON, D. C., GIVEN BY GEORGE D. REYNOLDS.

St. Louis, Mo., *December 22, 1902.*

James J. Butler, contestee in the above-styled proceeding, for a full and complete defense thereto, avers and states:

First. That the contestant, George D. Reynolds, in the above-styled proceeding, has, and had, no right to institute or prosecute the same, for that the said George D. Reynolds was not the legal or authorized candidate for Congress of the Republican party in the Twelfth Congressional district of the State of Missouri at the general election held therein on the 4th day of November, 1902, nor was said George D. Reynolds the lawful candidate or nominee of any other political party at said election, nor was he entitled to receive, nor did he receive, at said election, any lawful ballots or votes for the office of member of the National House of Representatives in said district and State at the election aforesaid.

And contestee further avers and states that each and every ballot or vote counted for said George D. Reynolds at said election was unauthorized and in direct violation of the laws and statutes of the United States and the laws and statutes of the State of Missouri regulating and controlling the holding of elections for members of the lower House of the Federal Congress, for the reason that said contestant was not legally nominated for said office and his name was illegally placed on the official ballot. All of which contestee, James J. Butler, pleads in absolute bar of the present proceeding.

Second. For further answer to said notice of contest, contestee, James J. Butler, states that it is not true, as alleged in the first averment of grounds of contest herein, that the majority of 6,618 votes cast in favor of contestee at said election over and above the aggregate of all votes cast for said contestant thereat would have been overcome, or lessened, or affected in any way by a proper count of only "those ballots cast in said election by persons legally qualified as electors." But contestee avers and states the fact to be that such majority in his favor, to wit, 6,618 votes, over and above all others cast at such election, was made by and based solely upon the due and proper counting or computation of ballots and votes cast and given in his favor by persons who were duly and legally qualified as voters and electors in said district and at said election.

For answer to the second ground of contest, alleged by the said contestant, George D. Reynolds, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said second ground of contest, that the judges of election in many precincts of said district rejected legal and proper ballots proffered by duly qualified voters and placed them in the "rejected ballot" envelopes and returned them to the board of election commissioners of the city of St. Louis, and further refused to permit 500 legal voters of said city and district from casting votes at said election.

For further answer to the third ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said third ground, that over 10,000 illegal ballots were received and counted by the judges of election at said election, which ballots were cast for contestee by parties not entitled to vote at said election for the reason that they were not residents of said district or the precinct in which they voted, or did not live at the places where they purported to live, or had assumed names of voters who were dead or had removed, or the places where they purported to live were vacant lots, the parties so voting being not legally registered voters nor entitled to vote at said election. But, on the contrary, contestee avers that each and every ballot and vote counted in his favor at said election had been legally cast and given by qualified electors thereat.

For answer to the fourth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said

fourth ground, that 2,000 duly qualified voters living in said district who had theretofore been duly registered were wrongfully and illegally stricken from the registration list although they appeared at their proper precincts on said election day and proffered their votes for contestant for said office, their votes were refused and said voters were illegally deprived of the right to cast their votes.

For answer to the fifth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said fifth ground, that in each of the precincts of the wards composing said district, over 200 ballots were counted and returned for contestee by the judges of election, which ballots appeared from their numbers to have been the ballots of persons whose names were on the poll book, when, in truth and in fact, the names on said poll books whose numbers corresponded to the numbers of said ballots were the names of persons who did not appear at said polls on said day, being either dead or myths, or persons who had never lived in said ward or district, or had removed from said ward, and were, for this and other reasons, not entitled to vote, and whose names were voted upon by individuals unknown to contestant, and commonly called repeaters.

For answer to the sixth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said sixth ground, that at said election the judges and clerks of election at many of the precincts in said city and district did not correctly count the legal ballots cast at said election for said office and did not correctly certify and return to the board of election commissioners a correct statement of the legal votes cast for Representative in Congress in said election, but, on the contrary, counted in contestee's favor and for contestee a total of 10,000 or more votes which were and are fraudulent and illegal, or that of said fraudulent and illegal votes there were counted, cast up, and returned and credited to contestee for said office, 150 votes in the first precinct, 400 votes in the second precinct, 200 votes in the third precinct, 200 votes in the fourth precinct, 300 votes in the fifth precinct, 100 votes in the sixth precinct, 300 votes in the seventh precinct, and 200 votes in the ninth precinct of the Fourth Ward; 100 votes in the second precinct, 200 votes in the third precinct, 400 votes in the fourth precinct, 150 votes in the fifth precinct, 150 votes in the sixth precinct, 200 votes in the seventh precinct, and 100 votes in the ninth precinct of the Fifth Ward; 200 votes in the third precinct, 300 votes of the eighth precinct of the Sixth Ward; 200 votes in the twelfth precinct of the Thirteenth Ward; 100 votes in the first precinct, 150 votes in the second precinct, 150 votes in the third precinct, 150 votes in the fourth precinct, 200 votes in the fifth precinct, 150 votes in the sixth precinct, 100 votes in the seventh precinct, 400 votes in the eighth precinct, 300 votes in the tenth precinct, 150 votes in the eleventh precinct—all of the Fourteenth Ward; 150 votes in each of the precincts of the Fifteenth Ward; 300 votes in the first precinct, 100 votes in the third precinct, 300 votes in the fifth precinct, 100 votes in the sixth precinct, 100 votes in the seventh precinct, 150 votes in the ninth precinct, 100 votes in the eleventh precinct, 150 votes in the twelfth precinct, and 100 votes in the thirteenth precinct—all in the Twenty-second Ward; 100 votes in the first precinct, 100 votes in the second precinct, 150 votes in the third precinct, 150 votes in the fourth precinct, 100 votes in the sixth precinct, 100 votes in the ninth precinct, 100 votes in the tenth precinct, 200 votes in the twelfth precinct, 300 votes in the thirteenth precinct—all in the Twenty-third Ward; and 100 votes each in the first and second precincts of the Twenty-fifth Ward.

For answer to the seventh ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said seventh ground, that in the first, second, third, fourth, fifth, sixth, seventh, and ninth precincts of the Fourth Ward; the first, second, third, fourth, fifth, sixth, seventh, ninth, and tenth precincts of the Fifth Ward; the first, third, fourth, fifth, eighth, and twelfth precincts of the Sixth Ward; the first, second, third, fourth, fifth, sixth, eighth, tenth, and eleventh precincts of the Fourteenth Ward; the twelfth precinct of the Thirteenth Ward; the first, third, fifth, seventh, ninth, eleventh, and twelfth precincts of the Twenty-second Ward; the first, second, third, fourth, sixth, seventh, twelfth, and thirteenth precincts of the Twenty-third Ward of the city of St. Louis, all in said Twelfth Congressional district, the judges and clerks of election officiating at the polling places of said precincts were in a combination and a conspiracy, the purpose of which was to make the returns of the election in said precincts show large majorities in contestee's favor, and in furtherance of said conspiracy said judges and clerks not only permitted repeaters and fraudulent voters to cast fraudulent ballots in said precincts, but said judges and clerks failed and neglected entirely to count the ballots cast in said voting precincts; instead of so doing and making a true return of the votes cast, said judges and clerks, without

having made any attempt to canvass and count the votes cast, did make fraudulent returns to said board of election commissioners in which they made wholly false and fictitious returns of the votes cast for said contestant and for contestee, respectively, without any regard to the votes cast at said election in said precincts; or that said judges and clerks in said precincts did make said returns show large pluralities of votes cast in contestee's favor, whereas, in truth and in fact, the legal votes, if actually and honestly counted, would show large pluralities cast in favor of contestant..

For answer to the eighth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said eighth ground, that in the precincts and wards mentioned in the paragraph last preceding large numbers of fraudulent ballots were placed in the boxes, which were not even cast by persons claiming to be voters, but were placed in the boxes in large quantities with the wrongful purpose of cheating and defrauding contestant; or that, among others, it appeared from the returns to the said board of election commissioners that in the first precinct of the Twenty-second Ward there were 395 votes counted for contestee and 8 for contestant and 1 for Henry H. Artz, making a total of 404 votes, while, as a matter of fact, the total registered vote in said precinct was 208.

And contestee further states that it is not true that in many, if not all, of the other voting places mentioned in said last preceding paragraph said judges and clerks made return of votes cast and counted largely in excess of the number of voters registered in said precinct, and that in each case said returns were made without their having been any actual count of the ballots cast at said polling places, in each instance the return being made to show a large plurality in contestee's favor.

For answer to the ninth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said ninth ground, that the returns of said election in most, if not all, of the voting precincts of the Fourth and Fifth wards; in precincts 3, 4, and 8 of the Sixth Ward, and precinct 12 of the Thirteenth Ward; in all of the precincts of the Fourteenth Ward; in all of the precincts of the Fifteenth Ward; in precincts 1, 3, 5, 7, 9, 11, and 12 of the Twenty-second Ward; in precincts 1, 2, 3, 4, 6, 12, and 13 of the Twenty-third Ward, are untrue and entirely false, or that violence was used in some of said precincts to intimidate and expel Republican challengers, judges, and clerks therefrom; which violence was encouraged, aided, abetted, and actively participated in by the police of said city; or that the judges and clerks in many of said precincts misconducted themselves and acted illegally; or that the fraud and misconduct in said precincts was so gross and extensive that it was impossible to ascertain the actual and legal votes cast at said precincts, and that the returns therefrom should be rejected altogether in any canvass of the election held therein.

For answer to the tenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said tenth ground, that at some time prior to the registration of voters, held for the purpose of said election, a number of persons whose names were unknown entered into a combination and conspiracy, the purpose of which was to cause to be placed upon the registration lists of voters in said city of St. Louis and in said district, as legal voters, the names of many unqualified persons, in order that the names of all such persons might appear as lawfully and legally registered electors of the various precincts in said district in which they were so falsely registered; or that in pursuance of said conspiracy a large number of names, to wit, not less than 10,000, were procured to be wrongfully and fraudulently placed on said lists of registered voters in the several wards and precincts comprising said district, or that said names were wrongfully permitted to remain upon said books of the judges and clerks of the respective election precincts in said district; or that many of said judges and clerks were participants in the said unlawful combination and conspiracy; or that all of said names appeared in said books on the election day as if they were the names of duly qualified and legal electors in said precincts, when in truth and in fact none of the persons whose names were thus registered were legally qualified electors in said precincts, and were in many instances mere impersonations of nonexistent persons; or that all of said names thus entered on said lists were fraudulently and wrongfully entered thereon and ought to have been expunged therefrom by the judges and clerks acting as registering officers in the various precincts and wards comprising said district; or that the judges and clerks disregarded and neglected to perform their duty under the law, and in many cases, with full knowledge of the wrongful nature of said illegal registration, declined and refused to expunge said names so registered as aforesaid, or that they permitted the same to remain on the list of legal voters and thereby afforded opportunity to vote under or upon said names.

And contestee avers and states that it is not true, as charged by said contestant, that the whole number of illegal and fraudulent votes cast at said election in said

district by and through the aforesaid conspiracy was at least 10,000 votes, nor is it true that that number of illegal and fraudulent votes were cast by and through the conspiracy in favor of contestee in said election, and that they were included among the votes returned and certified as votes cast in favor of contestee at said election for the office of Representative in Congress of the United States from the Twelfth Congressional district of Missouri, herein contested.

For answer to the eleventh ground of contest contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said eleventh ground, that the law under which the said election was held and conducted, to wit, the act of the general assembly of the State of Missouri, approved June 19, 1899, entitled "An act to provide for the registration of voters in cities now having three hundred thousand inhabitants or more," etc., commonly known as or called "the Nesbit law," is an unfair and partisan law contrived and enacted and used to cheat and defraud the candidates of the Republican party of their just rights and privileges at public elections and was so used to cheat and defraud contestant at the election aforesaid, or that the said law was used at said election to secure contestee's return and election to the office aforesaid.

Third. For a third ground of defense to the above-styled proceeding, contestee, James J. Butler, avers and states that said proceeding was instituted, not in good faith for the purpose of contesting the right of contestee to a seat in Congress to which he had been returned by the great majority of 6,618 votes upon a second appeal to his constituency, but was wholly instigated by the machinations and spite of a few disappointed persons who sought to deprive electors of the Twelfth Congressional district of their absolute right to select contestee as their Representative in the Federal Congress, and who unavailingly sought to prevent such constituency from a reaffirmance of their choice of contestee and vindication of his right to such seat by the aforesaid great majority; that with the aforesaid objects and purposes only the present proceeding was begun, the contestant, George D. Reynolds, being selected as a mere tool for that purpose, and the whole proceeding itself being destitute of all merit, concocted in simple spite, and becoming in this way an unseemly trespass upon the time and patience of the House of Representatives and its Committee on Elections.

JAMES J. BUTLER, *Contestee*.

Service of copy of above acknowledged this 22d December, 1902.

[SEAL.]

GEO. D. REYNOLDS.

STATE OF MISSOURI, *City of St. Louis, ss:*

Henry M. Walsh, of lawful age, being duly sworn and under oath, states that he delivered a true copy of within answer to George D. Reynolds in the city of St. Louis, State of Missouri, December 22, 1902, personally serving same.

In witness whereof he has hereunto attached his signature.

HENRY M. WALSH.

STATE OF MISSOURI, *City of St. Louis, ss:*

Subscribed and sworn to before me this 6th day of January, 1903.

[SEAL.]

PETER J. NOLAN, *Notary Public*.

My term expires June 30, 1906.

ADDITIONAL NOTICE OF CONTEST.

ST. LOUIS, MO., *December 22, 1902.*

MR. JAMES J. BUTLER.

SIR: You are hereby notified that I shall contest before the House of Representatives of the Fifty-eighth Congress of the United States your right to a seat in that body and your election thereto as the Representative and member therein from the Twelfth Congressional district of the State of Missouri, which said district lies wholly within the city of St. Louis, in said State, and comprises all of Wards 4, 5, 6, 13, 14, 15, 22, 23 and 25 of said city, and the election for which said office of Representative was held in said district on the 4th day of November, 1902, that being the first Tuesday after the first Monday in said month, and at which election you were the Democratic and I was the Republican candidate for said office of Representative, I then being over 25 years of age, born in the United States and a citizen thereof for more than seven years, and an inhabitant of the State of Missouri, upon the following grounds in addition to those stated in the notice of contest heretofore given by me to you, which notice is dated December 20, 1902, and was served upon you on said last-named date. Said notice contains eleven specifications, paragraphs, and grounds of contest. Following up said numbers, and as additional thereto, I state the following grounds:

Twelfth. Because in election precincts Nos. 1, 2, 3, 4, 5, 6, 7, and 9 of the Fourth Ward, and in election precincts Nos. 1, 2, 3, 4, 5, 6, 7, and 9 of the Fifth Ward, and in election precincts Nos. 3 and 8 of the Sixth Ward, and in election precinct No. 12 of the Thirteenth Ward, and in all of the eleven election precincts of the Fourteenth Ward, and in all of the eleven election precincts of the Fifteenth Ward, and in election precincts Nos. 1, 3, 5, 6, 7, 9, 11, 12, and 13 of the Twenty-second Ward, and in election precincts Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, and 13 of the Twenty-third Ward, and in election precincts Nos. 1 and 2 of the Twenty-fifth Ward, the election held on said date and for said office was illegal in this that the several clerks of election in and for said precincts and wards did not go together and canvass their several precincts, nor did they make any canvass whatever thereof, as required by law, nor did the boards of registration and clerks of election appointed for said precincts revise the registration lists in their respective election precincts; nor did the judges of election in any of said precincts have or use at such election any lawful registry of qualified voters of said several precincts, but the registry lists or poll books used at said election in said precincts were unrevised and illegal lists, and all the votes cast at said election in said precincts were unlawful and illegal votes and votes not cast by voters whose names appeared on lawful and legal registration or poll books; that in consequence of said failure to canvass said precincts and revise said registration lists hundreds of names of persons not legal voters in said precincts were left on the same; that said unrevised registration lists and poll books were the only ones used at said precincts at said election, and the voting at each of said precincts was from said lists, and that it is and will be impossible to separate the votes of legal voters from those cast by persons not qualified voters or in the names of fictitious persons, nor is it or will it be possible to determine the actual result of the vote in any of said precincts.

Thirteenth. Because each and all of the election precincts enumerated in the above paragraph 12, the judges of election not only did not protect the challenger designated by the Republican party to challenge and serve at the polling place or election booth in said several precincts, and did not assign them to such position inside the polling place or booth as would enable him to see each person as he offers to vote, but refused to allow the persons designated as challengers at said several precincts by and on behalf of the Republican party to act, and ejected them from said polling or voting places and booths, suffered them to be intimidated, assaulted, and driven out, and entirely prevented them from seeing or challenging any persons offering or attempting to vote at such election at said precincts, and thereby promoted the casting of a large number of illegal votes in said precincts.

Fourteenth. Because in none of the precincts named in the said twelfth paragraph above did the poll books, voting lists, or tally sheets, as signed by the judges and clerks of election, correctly and truly record the result of the voting thereat, but were made out, checked off, and signed in some cases under duress, in other cases by unauthorized persons, and were not in any case true returns of the vote actually cast in said several precincts.

Fifteenth. Because at none of the election precincts mentioned in said paragraph 12 were the ballots which were voted numbered in the order in which they were received and the number recorded by the election officers at said precincts on the list of voters opposite the name of the voter who presented the ballot. To the contrary, they were either not numbered at all or numbered haphazard, and any number that occurred to the judges and clerks of the election set down opposite any name in the list, regardless of who had voted it or the order in which voted.

Sixteenth. Because at none of the said precincts did the judges allow watchers to act for or on behalf of the Republican candidates.

Seventeenth. Because at said election the total number of legal votes cast for you in said district by lawful voters voting thereat did not exceed 5,500 votes, whereas I received, and there were cast for me at said election, the legal votes and ballots of 16,000 legal voters voting at said election, and I received more votes of legal voters voting and entitled to vote at said election than were then and there cast for any other candidate at said election for said office, and was duly elected thereto.

Eighteenth. That the judges and clerks in the precincts named in the twelfth count above were not residents or legal or qualified voters of the precincts in which they served and acted as such. I also notify you that in the notice of contest served on you on December 20, and above referred to, the words "of the Fourth Ward" have been accidentally omitted between the words "precincts" and the words "of the Fifth Ward" in the sixth line of the body of said notice and on the first page thereof, and you will please consider the same as inserted.

GEO. D. REYNOLDS, *Contestant*.

W. M. KINSEY,

F. E. RICHIEY,

CHAS. W. HOLTCAMP,

Attorneys for Contestant.

STATE OF MISSOURI, *City of St. Louis, ss:*

George B. Teasdale, of lawful age, being duly sworn, on his oath says that he served the above and foregoing notice of contest in the city of St. Louis, and State of Missouri, on Monday, the 22d day of December, A. D. 1902, by delivering a true copy thereof to James J. Butler, the aforesaid contestee, in person.

GEO. B. TEASDALE.

Subscribed and sworn to before me this the 24th day of December, A. D. 1902.
[SEAL.]

J. T. SANDERS,

Notary Public, City of St. Louis, Mo.

My term expires on the 3d day of April, 1902.

*ANSWER OF JAMES J. BUTLER TO NOTICE OF ADDITIONAL GROUNDS
OF CONTEST, SERVED ON HIM ON DECEMBER 22 BY GEORGE D.
REYNOLDS.*

St. Louis, Mo., December 23, 1902.

For answer to the twelfth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said twelfth ground, that in election precincts Nos. 1, 2, 3, 4, 5, 6, 7, and 9 of the Fourth Ward, and in election precincts Nos. 1, 2, 3, 4, 5, 6, 7, and 9 of the Fifth Ward, and in election precincts Nos. 3 and 8 of the Sixth Ward, and in election precinct 12 of the Thirteenth Ward, and in all of the eleven election precincts of the Fourteenth Ward, and in all of the eleven election precincts of the Fifteenth Ward, and in election precincts Nos. 1, 3, 5, 6, 7, 9, 11, 12, and 13 of the Twenty-second Ward, and in election precincts Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, and 13 of the Twenty-third Ward, and in election precincts Nos. 1 and 2 of the Twenty-fifth Ward, the election held on said date and for said office was illegal in this, that the several clerks of election in and for said precincts and wards did not go together and canvass their several precincts, nor did they make any canvass whatever thereof, as required by law; nor did the boards of registration and clerks of election appointed for said precincts revise the registration lists in their respective precincts; nor did the judges of election in any of said precincts have or use at such election any lawful registry of qualified voters of said several precincts, but the registry lists or poll books used at said election in said precincts were unrevised and illegal lists and all the votes cast at said election in said precincts were unlawful and illegal votes and votes not cast by voters whose names appeared on lawful and legal registration or poll books. That in consequence of said failure to canvass said precincts and revise said registration lists hundreds of names of persons not legal voters in said precincts were left on the same; that said unrevised registration lists and poll books were the only ones used at said precincts at said election, and the voting at each of said precincts was from said lists, and that it is and will be impossible to separate the votes of legal voters from those cast by persons not qualified voters or in the names of fictitious persons; nor is it or will it be possible to determine the actual result of the votes in any of said precincts.

For answer to the thirteenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said thirteenth ground, that in each and all of the election precincts enumerated in the above paragraph 12 the judges of election not only did not protect the challenger designated by the Republican party to challenge and serve at the polling place or election booth in said several precincts and did not assign them to such position inside the polling place or booth as would enable him to see each person as he offers to vote, but refused to allow the persons designated as challengers at said several precincts by and on behalf of the Republican party to act, and ejected them from said polling or voting places and booths, suffered them to be intimidated, assaulted, and driven out, and entirely prevented them from seeing or challenging any persons offering or attempting to vote at such election at said precincts, and thereby promoted the casting of a large number of illegal votes in said precincts.

For answer to the fourteenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said fourteenth ground, that in none of the precincts named in said twelfth paragraph above did the poll books, voting lists, or tally sheets, as signed by the judges and clerks of election, correctly and truly record the result of the voting thereat, but were made out, checked off, and signed in some cases under duress, in other cases by unauthorized persons, and were not in any case true returns of the vote actually cast in said several precincts.

For answer to the fifteenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said fifteenth ground of contest, that at none of the election precincts mentioned in said

paragraph 12 were the ballots which were voted numbered in the order in which they were received, and the number recorded by the election officers at said precincts on the list of voters, opposite the name of the voter who presented the ballot. Nor is it true that they were not numbered at all or numbered haphazard and any number that occurred to the judges and clerks of election set down opposite any name in the list, regardless of who had voted it or the order in which voted.

For answer to the sixteenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said sixteenth ground, that at none of the said precincts did the judges allow watchers to act for or on behalf of the Republican candidates.

For answer to the seventeenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said seventeenth ground, that at said election the total number of legal votes cast for contestee in said district by lawful voters voting thereat did not exceed 5,500 votes, whereas contestant received and there were cast for contestant at said election the legal votes and ballots of 16,000 legal voters voting at said election, and contestant received more votes of legal voters voting and entitled to vote at said election than were then and there cast for any other candidate at said election for said office and was duly elected thereto.

For answer to the eighteenth ground of contest, contestee avers and states that it is not true in substance or in fact, nor in whole nor in particular, as alleged in said eighteenth ground, that the judges and clerks in the precincts named in the twelfth count above were not residents or legal or qualified voters of the precincts in which they served and acted as such. Contestee restates his denial of that portion of the ground of contest set forth in the original notice of contest, which contestant proposes to amend by the insertion of the words "of the Fourth Ward" and states that the notice of contest as thus amended is untrue in substance and in fact and in whole and in particular.

JAMES J. BUTLER, *Contestee*.

Copy of above received December 24, 1902.

GEO. D. REYNOLDS.

STATE OF MISSOURI, *City of St. Louis, ss:*

Henry M. Walsh, of lawful age, being duly sworn, under oath states that he served a true copy of above answer on the within-named George D. Reynolds by personally delivering a copy of same to the said George D. Reynolds in the city and State aforesaid on the 24th day of December, 1902.

In witness whereof he has hereunto attached his signature.

HENRY M. WALSH.

STATE OF MISSOURI, *City of St. Louis, ss:*

Subscribed and sworn to before me this 6th day of January, 1903.

[SEAL.]

PETER J. NOLAN, *Notary Public*.

My term expires June 30, 1906.

PROTEST.

ST. LOUIS, *February 2, 1903.*

GEO. D. REYNOLDS, Esq., *St. Louis, Mo.*

DEAR SIR: In the matter of your notification to me of your intention to begin the taking of depositions Monday, February 2, 1903, in your behalf in the contested election case of Reynolds *v.* Butler, I hereby give notice that the same is illegal, unlawful, and in conflict with the statutes of the United States for the following reasons, to wit:

Congress has by law regulated the form in which notice of a contested election shall be given and answered, and the time and manner in which depositions on oath of witnesses in such cases shall be taken and returned to the House of Representatives.

Section 107 of the Revised Statutes provides that—

“In all contested-election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testimony during the first forty days, the returned member during the succeeding forty days, and the contestant may take testimony, in rebuttal only, during the remaining ten days of said period.”

By the act of March 2, 1875 (Laws 2d, 43d, p. 338), it is provided that section 107, Revised Statutes, shall be construed as requiring all testimony in cases of contested election to be taken within ninety days from the day on which the answer of the returned member is served upon the contestant.

I, through one of my attorneys, served you with my answer on December 22, 1902. The forty days from that date allowed you by law expired at midnight on January 31, 1903, and consequently you have no rights, legal or moral, to take depositions for presentation to the Fifty-eighth Congress. In other words, you have slept on your rights and the forty days during which Congress says testimony for contestant shall be taken having expired without your having taken any testimony whatsoever, you have to all intents and purposes abandoned your contest and can not now revive the same in the time allotted to contestee in which to take testimony had you obeyed the mandatory provisions of the law.

Furthermore, as Congress has designated what officer may take depositions in cases of contested elections, such officer (whether appointed by the United States, such as a judge of a Federal court, or a register in bankruptcy, or by the State, such as a judge of one of its courts of record, a mayor or recorder of a city, or a notary public) performs this function, not under any authority derived from the State, but solely under the authority conferred upon him by Congress. This being so, and your time having expired, no notary public, or any other officer, has any power to issue subpoenas or hear testimony in your behalf.

Furthermore, the oath of a witness in the case of a contested election of a member of the House of Representatives is an oath authorized to be administered by the laws of the United States, and by those laws only, and the witness gives his testimony in obedience to those laws and not in the performance of any duty which he owes the State in which his testimony is taken. As your contemplated action is in direct violation of the United States laws governing cases of contested election you can readily see the position in which your witnesses would be placed, so far as the reliability of their testimony is concerned.

In view of the mandatory provisions of the United States law governing cases of contested election, I protest against your proceeding under any “notice to take depositions” already served upon me or any attempt on your part to take depositions, now that your time under the law has expired, as being illegal and without the color of law.

I further notify you that should you persist in your proposed illegal and unlawful proceedings I will not attend, either in person or by attorney, to cross-examine your witnesses, nor in any other way recognize the legality of your procedure.

Respectfully, yours,

JAMES J. BUTLER,
Member Congress Twelfth District, Missouri.

*ADDITIONAL PROTEST TO THE CLERK OF THE HOUSE OF
REPRESENTATIVES.*

WASHINGTON, D. C., *September 3, 1903.*

A. McDOWELL, Esq.,
Clerk of the House of Representatives.

DEAR SIR: Jas. J. Butler, contestee in the election contest case of Reynolds v. Butler, protests and objects to the printing of exhibits entitled "Recapitulations," and marked of April 10, 1903, A. R. Russell, notary public, because when same were received by you they were not inclosed in a sealed package with the depositions claimed to have been taken by said A. R. Russell, and for the further reason that no depositions were taken by said Russell on April 10, 1903.

HENRY W. BOND,
T. J. ROWE,
Attorneys for Contestee.

EVIDENCE FOR CONTESTANT.

SUBPOENAS.

To James McCaffery, president of the board of election commissioners; John M. Wood and Louis P. Aloe, members of said board, and John Ellsperman, jr., secretary of said board, greeting:

You and each of you are hereby commanded that, setting aside of all manner of excuse and delay, you be and appear before the undersigned, a notary public within and for the city of St. Louis, in the State of Missouri, on Tuesday, the 31st day of March, 1903, at the hour of 10 o'clock in the forenoon of said day, at the office of the board of election commissioners, in the city hall in the city of St. Louis, then and there to testify and the truth to say in a certain contested election case now pending, wherein George D. Reynolds, as contestant, contests the election of James J. Butler, as contestee, to the office of Representative from the Twelfth Congressional district in the State of Missouri in the Fifty-eighth Congress of the United States, and on the part of the contestant.

And you and each of you are hereby required to have and to produce at the time and place aforesaid and at such other times and places as you may be directed:

1. A list of judges and clerks appointed by you for each and every of the voting precincts of the city of St. Louis that are included within the Twelfth Congressional district aforesaid, and lie within the Fourth, Fifth, Sixth, Thirteenth, Fourteenth, Fifteenth, Twenty-second, Twenty-third, and Twenty-fifth wards of the city of St. Louis.

2. The recommendations presented and filed with the board of election commissioners as to the appointment of judges and clerks in the several wards and precincts aforesaid included within the said Twelfth Congressional district.

3. The recommendations concerning the appointment of judges and clerks of election presented to said board of election commissioners for the respective precincts aforesaid by any other person or persons than the members of the managing committees of the Republican party for the several wards included in said Congressional district.

4. The registration books of each and every of the precincts aforesaid and the duplicates of said registration books.

5. The verification lists made by the clerks in each one of the aforesaid precincts within the Twelfth Congressional district above mentioned.

6. The poll lists made by the clerks of election, acting at the several precincts aforesaid, showing the names of the persons who voted at said election and the voting numbers of such persons.

7. All tally sheets made at said election by the judges and clerks acting in the several precincts aforesaid.

8. All ballots which were cast at the election aforesaid (including as well those ballots in envelopes marked "Rejected ballots") for the office in contest and mentioned above in this subpoena.

9. The record of the time when the ballot boxes were returned to the office of the board of election commissioners by the judges and clerks acting in the several election precincts aforesaid, and any and every record of the condition of the ballot boxes or other facts relating to the said ballot boxes or the contents thereof when returned by the judges and clerks of election aforesaid to the board of election commissioners of the city of St. Louis.

10. The official canvass of the votes cast at the election held on the 4th day of November, 1902, so far as the same relates to the office of Representative in Congress from the Twelfth Congressional district of the State of Missouri in the Fifty-eighth Congress of the United States. Herein fail not at your peril. The person or officer serving this writ is hereby commanded to have the same before the undersigned notary public at the time and place aforesaid, certifying how he executed the same.

In witness whereof, I, a notary public within and for the city and State aforesaid,

and residing within the said Twelfth Congressional district of the State of Missouri, have hereunto set my hand and affixed my official seal at office in the city of St. Louis this 23d day of March, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

Served the within subpoena by delivering a true copy thereof to each of the within-named witnesses, to wit, James McCaffery, John M. Wood, Louis P. Aloe, John Ellsperman, jr., and Martin F. Moore, and by reading same to Patrick J. Regan, all on the 24th day of March, 1903, in the city of St. Louis, Mo.

SIDNEY L. BARNARD.

Subscribed and sworn to before me this the 30th day of March, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

To Percival Adams, 1007 Chestnut street; S. T. Rockwell, 919 Chestnut street, and Henry Westerman, 913½ Pine street:

You are hereby commanded that, setting aside all manner of excuse and delay, you appear before the undersigned, a notary public within and for the city of St. Louis, Mo., and residing within the Twelfth Congressional district of said State, at room 12, fourth floor of the Keiser Building, 417 Pine street, in the city of St. Louis, Mo., on the 2d day of April, 1903, at the hour of 10 o'clock a. m., then and there to remain and testify, and the truth to say, in the contested election case now pending before the Fifty-eighth Congress of the United States from the said Twelfth Congressional district, in which George D. Reynolds is the contestant and James J. Butler is the contestee for the office of Representative from the said district in the said Congress, on the part of the contestant, and herein you are in nowise to fail.

Witness my hand with my official seal hereto attached, this 31st day of March, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term will expire June 26, 1905.

Served the within subpoena by personal service on S. T. Rockwell and Henry Westerman (Percival Adams not found), in the city of St. Louis, Mo., on the 31st day of March, 1903.

S. L. BARNARD.

Subscribed and sworn to before me April 1, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My term expires June 26, 1905.

To John B. Owen, 1206 Morrison avenue; A. J. Matlock, 3705 Chouteau avenue, and Oliver Holmes, 3705 Chouteau avenue:

You are hereby commanded that, setting aside all manner of excuse and delay, you appear before the undersigned, a notary public within and for the city of St. Louis, Mo., and residing within the Twelfth Congressional district of said State, at room 12, fourth floor of the Keiser Building, 417 Pine street, in the city of St. Louis, Mo., on the 2d day of April, 1903, at the hour of 10 o'clock a. m., then and there to remain and testify, and the truth to say, in the contested election case now pending before the Fifty-eighth Congress of the United States from the said Twelfth Congressional district, in which George D. Reynolds is the contestant and James J. Butler is the contestee, for the office of Representative from the said district in the said Congress, on the part of the contestant, and herein you are in nowise to fail.

Witness my hand, with my official seal hereto attached, this 31st day of March, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

Served the within subpoena by personal service on John B. Owens, A. J. Matlock, and Oliver Holmes in the city of St. Louis, Mo., on the 31st day of March, 1903.

SID. L. BARNARD.

Subscribed and sworn to before me April 6, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My term expires June 26, 1905.

TO WILLIAM POINDEXTER, *209 Chestnut street:*

You are hereby commanded that, setting aside all manner of excuse and delay, you appear before the undersigned, a notary public within and for the city of St. Louis, Mo., and residing within the Twelfth Congressional district of said State, at room 704, Oriel Building, southwest corner Sixth and Locust streets, in the city of St. Louis, Mo., on the 9th day of April, 1903, at the hour of 2 o'clock p. m., then and there to remain and testify and the truth to say in the contested election case now pending before the Fifty-eighth Congress of the United States from the said Twelfth Congressional district, in which George D. Reynolds is the contestant and James J. Butler is the contestee for the office of Representative from the said district in the said Congress, on the part of the contestant, and herein you are in no wise to fail.

Witness my hand with my official seal hereto attached this 31st day of March, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

Served the within subpoena by personal service on William Poindexter in the city of St. Louis, Mo., on the 7th day of April, 1903.

SID L. BARNARD.

Subscribed and sworn to before me April 8, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My term expires June 26, 1905.

NOTICE TO TAKE DEPOSITIONS.

TO JAMES J. BUTLER, *Contestee, and to his Attorneys:*

You are hereby notified that on the 2d day of February, 1903, beginning at the hour of 10 o'clock a. m., before A. R. Russell, a notary public, at rooms 6 and 7 of the Kaiser Building, 417 Pine street, in the city of St. Louis, Mo., testimony of witnesses will be taken on my behalf for use in the contested election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, in which case I am the contestant and you are the contestee for the office of Representative from the said district in the said Congress, and if the taking of said testimony is not concluded on that day the further taking thereof will continue at the same place and beginning at the same hour from day to day until entirely concluded.

Names and addresses of witnesses whose testimony will be taken under this notice: J. T. Sanders, Lindell Hotel; E. H. Loffhagen, 1719 Morgan street; Charles J. Decker, 1222 South Ninth street; John G. Gerwiner, 520 South Fourth street; J. P. Methudy, corner California and Russell avenues; Aug. Gisler, 2610 Little Market street; Casper Kralman, 1515 Carr street; James A. Jones, 3028 Lawton avenue; Harry G. Whalen, 513 South Ewing; George B. Teasdale, 4050 Delmar avenue; H. G. Beedle, 3107 Locust street.

St. Louis, Mo., January 29, 1903.

GEORGE D. REYNOLDS, *Contestant*,
By CHAS. W. HOLT CAMP,
FRANK S. RICHEY,
His Attorneys.

STATE OF MISSOURI, *City of St. Louis, ss:*

I, Sidney L. Barnard, hereby certify that I served the foregoing notice on the 29th day of January, A. D. 1903, in the city of St. Louis, Mo., by leaving a true copy of said notice at the residence and usual place of abode of the said James J. Butler, contestee, with a member of his family over the age of 15 years, the said James J. Butler being absent at the time.

SIDNEY L. BARNARD.

Subscribed and sworn to before me this the 2d day of February, 1903.

[SEAL.]

J. T. SANDERS, *Notary Public.*

My term expires April 3, 1905.

Depositions of witnesses produced, sworn, and examined on the 2d day of February, 1903, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of said day, at the Keiser Building, No. 417 Pine street, in the city of St. Louis, State of Missouri, before me, A. R. Russell, a notary public within and for the city of St. Louis, Mo., in the contested election case now pending before the Fifty-eighth

Congress of the United States of America from the Twelfth Congressional district of Missouri, wherein George D. Reynolds is contestant and James J. Butler is contestee, on the part of the contestant.

Appearances: For contestant, William M. Kinsey, esq., Frank E. Richey, esq., and C. W. Holtcamp, esq.

Contestee appears in person and by H. M. Walsh, esq., and Thomas Mitchell Rogers, esq., for the purpose only of the protest hereinafter set forth.

GEORGE D. REYNOLDS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Mr. WALSH. Without knowing just exactly what this proceeding is, but from the fact that the gentleman who has just been sworn is Mr. George D. Reynolds, and assuming that it is his intention to take evidence in the case styled "Contested election case for a seat in the Fifty-eighth Congress from the Twelfth district of Missouri, in which George D. Reynolds is contestant and James J. Butler contestee," Mr. James J. Butler, the contestee, now protests against the taking of any evidence in this contested election case of George D. Reynolds *v.* James J. Butler for the reason, that the time which is specified under the laws of the United States in section 107 of the Revised Statutes, which provides that "In all contested election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testimony during the first forty days, the returned member during the succeeding forty days, and the contestant take testimony in rebuttal only during the remaining ten days of said period."

By the act of March 2, 1875, laws, second, 43, page 338, it is provided that section 107, Revised Statutes, shall be construed as requiring all testimony in cases of contested elections to be taken within ninety days from the day on which the answer of the returned member is served upon the contestant.

James J. Butler, the contestee in this case, through one of his attorneys served George D. Reynolds with his answer on December 22, 1902; the forty days from that date allowed George D. Reynolds by law expired at midnight January 31, 1903; consequently George D. Reynolds has no rights, legally or morally, to take depositions for presentation to the Fifty-eighth Congress.

In other words, George D. Reynolds has slept on his rights, and the forty days during which Congress says testimony for contestant shall be taken have expired without his having taken any testimony whatsoever, and George D. Reynolds has, to all intents and purposes, abandoned his contest, and can not now revise the same in the time allotted to contestee in which to take testimony had he obeyed the mandatory provision of the law.

James J. Butler further objects to the taking of the depositions before any notary public, because Congress has designated what officer may take depositions in cases of contested elections. "Such officer, whether appointed by the United States, such as a judge of a Federal court, or a register in bankruptcy, or by the State, such as a judge of any of the courts of record, the mayor or recorder of a city, or a notary public, performs those functions not under any authority derived from the State, but solely under the authority conferred upon him by Congress and by the Federal statutes, as set out in the Federal statutes governing contested election cases or governing election matters."

This being so, and the time of George D. Reynolds having expired, no notary public or any other officer has any power to issue subpoenas or hear testimony in his behalf.

We object to the hearing of any witnesses or the swearing or the taking of an oath by any witness, for the reason that the oath of a witness in the case of a contested election of a Member of the House of Representatives is an oath authorized to be administered by the laws of the United States and by those laws only, and the witness gives his testimony in obedience to those laws and not in the performance of any duty which he owes the State in which his testimony is taken.

Now, as the contemplated action is in direct violation of the United States laws governing cases of contested election, we call attention to the position in which your witnesses would be placed so far as the reliability of their testimony is concerned. That is, they are attempting to testify under an oath administered by a person who has no right to administer such an oath under the Federal laws governing contested election cases.

In view of the mandatory provision of the United States law governing cases of contested election, James J. Butler now protests against your proceeding under any notice to take depositions already served upon him, or any attempt on your part to take depositions, now that the time of George D. Reynolds under the law has expired, as being illegal and without the color of law.

James J. Butler further notifies you that if you persist in your purposed illegal and unlawful proceeding, he will not attend either in person or by attorney to cross-examine the witnesses who may appear and pretend to testify under oath, nor in any other way recognize the legality of this procedure.

Mr. ROGERS. In the interest of the contestee, the Hon. James J. Butler, I wish the record to show that a protest signed by Judge Bond and Thomas J. Rowe, of counsel for contestee, has been served upon the notary who is attempting to act here in an illegal and unlawful manner, in an illegal and unlawful attempt to take depositions, protesting against his attendance, his issuing subpoenas or administering the oath to witnesses, setting out fully and specifically the reasons why this protest has been made. I will add to my objections that in making this objection I do not wish it understood that in any manner I recognize the authority of the notary to preside, or the legality of any of the proceedings on the part of contestant and his attorneys.

Mr. JAMES J. BUTLER. I will state as contestee that nobody appears for me in this case except for the purpose of protesting against the irregularity and the illegality of the proceeding.

Mr. KINSEY. Are you through with your protest?

Mr. WALSH. Yes, sir.

Mr. KINSEY. Mr. Notary, have you had entered by the stenographer the appearance of counsel for the contestant?

Mr. WALSH. There is no appearance of counsel for contestee.

The NOTARY. You appear for the purpose of this objection alone?

Mr. WALSH. Yes, sir; only for this time.

Appearances for contestant: William M. Kinsey, esq., Frank E. Richey, esq., and C. W. Holtcamp, esq.

Direct examination by Mr. KINSEY:

Q. State your name in full, Mr. Reynolds.—A. George D. Reynolds.

Q. Are you the contestant in the election contest of George D. Reynolds vs. James J. Butler for the office of Representative in Congress of the United States from the Twelfth Congressional district of Missouri?—A. I am; the Fifty-eighth Congress.

Q. I hand you a paper, Mr. Reynolds, and ask you if it is the original or first notice of contest which you served upon Mr. Butler, or, rather, whether it is a notice which was prepared and signed by you?—A. I recognize my signature to this paper, dated December 20, 1902, St. Louis, Mo., addressed to Mr. James J. Butler, and that is the notice I sent as notice of contest for the seat in the Fifty-eighth Congress, the House of Representatives, for the Twelfth Congressional district of Missouri. Of course I have no personal knowledge of its service on Mr. Butler.

(Such paper is marked "Contestant's Exhibit No. 1.")

Q. I now show you another paper and ask you to state what that is.—A. This is a paper dated St. Louis, Mo., December 22, 1902, addressed to Mr. James J. Butler; was sent by me, signed by me, and is a supplemental notice of contest for a seat in the Fifty-eighth Congress from the Twelfth Congressional district of Missouri.

Q. That paper was served in pursuance, I suppose, of a statement made in the last paragraph of the one which has just been identified as Exhibit 1, in which you say that you notified the contestee that within the time provided by law and within such time as may be fixed by any special order of the House of Representatives, you shall, if so advised, amend the foregoing notice and supplement the same with other and further grounds of contest?—A. Well, yes; partly under that and partly under what I understand to be the general practice, that within the time allowed by law you can make the supplemental or amended notice.

Mr. KINSEY. We ask the notary to mark this second paper identified by the witness as "Contestant's Exhibit No. 2."

Q. I now show you a third paper and ask you to state what it is.—A. I recognize this as a copy of a notice dated St. Louis, Mo., December 22, 1902, entitled "Answer of James J. Butler to notice of contest of his right to sit as a member of the House of Representatives in the Congress now in session at Washington, D. C." Written in ink under that "Given by George D. Reynolds." I was handed this copy and the original at my office in this city on the 22d day of December, 1902, by Mr. Walsh—I do not know Mr. Walsh's first name, but he was introduced to me as one of the attorneys of Mr. Butler in the matter. The copy of the notice served on me purports to be signed by James J. Butler, contestee. I am not acquainted with Mr. Butler's handwriting and don't know whether that is his signature or not.

Q. Was the Mr. Walsh who was introduced to you as the attorney for Mr. Butler, and who served the original of this copy which you have just identified upon you on the 22d day of December, 1902, the same Mr. Walsh who has just now entered protest to the taking of testimony in this case?—A. I think so.

Mr. KINSEY. I will ask the notary to mark the paper last identified by the witness as "Contestant's Exhibit No. 3."

WITNESS. The reason I stated I thought so was that I have no distinct recollection of meeting Mr. Walsh except on two occasions in my office; I thought I recognized him, and we spoke to each other on that supposition just now in the office here. I have no doubt it was the same gentleman; his back was to the light, and I did not see him very well when I saw him in here.

Q. I now hand you a fourth paper, and ask you to state what that is.—A. I recognize the lead-pencil indorsement on the back of this as I did on the previous one, I should say, as in my handwriting, and I recognize this as a copy that was served on me at the time of the original being served. It is dated St. Louis, Mo., December 23, 1902. Answer of James J. Butler to notice of additional ground of contest served on him on December 22 by George D. Reynolds. I see by the indorsement which I made at the time in lead pencil on the back of this that it was served on me on the 24th day of December, 1902, at 1.20 in the afternoon, by Mr. Walsh, the same who served the other counter notice.

Mr. KINSEY. I ask the notary to mark the paper just identified by the witness as "Contestant's Exhibit No. 4."

GEO. D. REYNOLDS.

Subscribed and sworn to before me this 4th day of February, A. D. 1903.

[SEAL.]

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

GEORGE B. TEASDALE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. KINSEY:

Q. I show you now contestant's Exhibit No. 1, and ask you whether you served a copy of that exhibit upon the contestee, Mr. James J. Butler; and if so, how you served it?—A. Yes, sir; I served a copy of this notice on Mr. James J. Butler, the gentleman sitting at this table, at his residence, 3501 Laclede avenue, on the day mentioned here.

Q. What day?—A. Saturday, the 20th day of December, 1902.

Q. Did you attach to this exhibit an affidavit made by yourself stating the manner of service?—A. I did, sir.

Q. Was the copy of this Exhibit No. 1 served upon Mr. Butler in person?—A. Served upon him in person, at his residence, 3501 Laclede avenue.

Q. At his residence, 3501 Laclede avenue?—A. Yes, sir.

Q. I now show you contestant's Exhibit No. 2, Mr. Teasdale, and ask you to state whether you served a copy of that exhibit upon the contestee, Mr. James J. Butler, and if so, how you served it and when?—A. I served this notice on Mr. James J. Butler at his residence, 3501 Laclede avenue, Monday evening, the 22d day of December, 1902; served it in person.

Q. Did you attach to that exhibit also this affidavit, showing the manner of its service?—A. Yes, sir.

GEO. B. TEASDALE.

Subscribed and sworn to before me this 4th day of February, A. D. 1903.

[SEAL.]

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

SIDNEY L. BARNARD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. KINSEY:

Q. I show you a paper and ask you what it is?—A. It is the notice of taking depositions in the contest for the seat in the Fifty-eighth Congress, to James J. Butler, contestee, and to his attorneys.

Q. Did you serve that paper in any way upon Mr. Butler or his attorneys?—A. Yes, sir; served that on the 29th day of January, at Mr. Butler's residence, 3501 Laclede avenue. Mr. Butler was not at home and I left it there with a young lady in charge of the house.

Q. Did you attach to this notice this affidavit showing the manner of its service?—Yes, sir.

Mr. KINSEY. We ask that the notary mark this paper "Contestant's Exhibit No. 5."

SIDNEY L. BARNARD.

Subscribed and sworn to before me this 4th day of February, A. D. 1903.

[SEAL.]

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

Mr. KINSEY. We now formally offer in evidence exhibits which have been marked by the notary Nos. 1, 2, 3, 4, and 5, which were identified by the witnesses.

At this point, for lack of witnesses, I hereby adjourn the further taking of these depositions until 2 o'clock this afternoon.

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

I now adjourn the further taking of testimony in this cause until to-morrow, the 3d day of February, 1903.

WILLIAM D. MOORE, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith:

Direct examination by Mr. WILLIAM M. KINSEY, attorney for contestant:

Q. What is your name?—A. William D. Moore.

Q. You are a notary public, Mr. Moore?—A. Yes, sir.

Q. Did you, as notary public, take any testimony in the contested election case of George C. R. Wagoner against James J. Butler for the office of Representative in Congress for the short term of the Twelfth Congressional district of Missouri?—A. Yes, sir.

Q. Where was that testimony taken?—A. At the city hall in the city of St. Louis, Mo.

Q. And in what office?—A. Office of the election commissioners.

Q. Between about what dates did you take this testimony, Mr. Moore?—A. Between December 29, 1902, and January 3, 1903.

Q. State the character of the testimony which you took by way of depositions at that time. What did it consist of?—A. The testimony that was taken before me was a copy of the poll books of a number of wards and precincts of the Twelfth Congressional district.

Q. Can you give me the numbers of the wards and precincts of which you took copies of the poll books?—A. Yes, sir. Ward 4, precincts 1, 2, 3, 4, 7, and 9; Ward 14, precincts 4, 8, 6, 11, and 9; Ward 5, precincts 1, 7, 4, 6, and 10; Ward 15, precincts 6 and 9; Ward 22, precincts 1, 3, 7, and 12; Ward 7, precinct 12; Ward 23, precincts 1, 2, 6, 7, and 13; Ward 6, precinct 8; Ward 13, precinct 6; Ward 24, precinct 12.

Q. The poll books of which you took copies, Mr. Moore, are those used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902?—A. Yes, sir.

Q. Have you now in your possession the original deposition taken at the time referred to and which you intend to certify to the Clerk of the House of Representatives?—A. Yes, sir.

Q. Have you also in your possession a carbon copy of all the depositions which you took at the time and place referred to?—A. Yes, sir.

Q. I will ask you if you have examined this carbon copy to-day?—A. Yes, sir.

Q. Are the pages of the carbon copy, which you say you have examined, in the same order in which the pages of the deposition are arranged?—A. The pages are just the same. All the first pages of each precinct are arranged in the same order as the original and numbered the same.

Q. You have spoken of having made a comparison of the carbon copy of the depositions with the original. I will ask you when you did that?—A. It has been done to-day; this afternoon.

Q. Will you produce the carbon copy to which you have referred, Mr. Moore?—A. Yes, sir; I have it here.

(Counsel for contestant now offers in this case the carbon copy of the deposition taken by the witness and identified and examined by him and asks the notary to mark the same "Contestant's Exhibit No. 6.")

No cross-examination.

WILLIAM D. MOORE.

Subscribed in my presence and sworn to before me this 5th day of February, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My term expires June 26, 1903.

I now adjourn the further taking of these depositions until to-morrow, the 4th day of February, 1903, at the hour of 10 o'clock a. m.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding this 4th day of February, 1903, at the hour of 10 o'clock a. m.

JAMES D. HALTER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith:

Direct examination by Mr. KINSEY, attorney for contestant:

Q. Please state your name.—A. James D. Halter.

Q. Mr. Halter, you are a notary public by occupation?—A. Yes, sir.

Q. Did you take any testimony in the contested election case of George C. R. Wagoner against James J. Butler, for the short term for the Twelfth Congressional district of Missouri?—A. Yes, sir.

Q. Where did you take that testimony?—A. I took it at 417 Pine street, rooms 6 and 7, Keiser Building, in the city of St. Louis, Mo.

Q. Did you take testimony at any other place in that case?—A. Yes, sir; at the office of the election commissioners of the city of St. Louis, at the city hall.

Q. Is that also in the city of St. Louis and State of Missouri?—A. Yes, sir.

Q. State in a general way the character of the testimony which you took at the city hall.—A. I examined the poll books of the eleventh precinct of the Twenty-fourth Ward.

Q. You mean by using the word "examined" that you took the testimony in which a copy of the poll books of the eleventh precinct of the Twenty-fourth Ward of this city was made?—A. Yes, sir.

Q. Was that testimony taken at the city hall?—A. Yes, sir; at the election commissioners' office.

Q. Have you in your possession, Mr. Halter, the original deposition which you took at the city hall relating to the eleventh precinct of the Twenty-fourth Ward?—A. Yes, sir.

Q. Who were the witnesses whose testimony was taken by you at the city hall?—A. R. L. Jordan and George W. Rinkel.

Q. And the paper which you now have in your hands is the original deposition to which you refer of these witnesses?—A. Yes, sir; taken on the 3d day of January, 1903.

Q. At the time of taking this deposition, Mr. Halter, did you have any carbon copies of it made?—A. Yes, sir.

Q. How many?—A. I had two carbon copies and one original.

Q. I show you a paper here now, and ask you what it is.—A. It is a carbon copy of the original of which I have just spoken.

Q. It is a carbon copy of the deposition taken before you as a notary public, and from which a copy of the poll books used in the eleventh precinct of the Twenty-fourth Ward is made?—A. Yes, sir.

Q. Was that the poll book that was used at the election held in the city of St. Louis on the 4th day of November, 1902?—A. Yes, sir.

Q. I will now ask you whether you have compared it with the original deposition and examined the carbon copy which you have just identified?—A. Yes, sir; I compared them and find the carbon copy correct.

Q. When did you make that comparison, Mr. Halter?—A. This morning.

Q. On comparison did you find the carbon copy of the original deposition to which you have referred to be correct in every particular?—A. Yes, sir; an exact copy.

Q. Now I will ask you, Mr. Halter, if the original with which you have made the comparison and examination is a part of a deposition which contains other matter than the copy of the poll book of the eleventh precinct of the Twenty-fourth Ward?—A. This deposition, which is the deposition of these two witnesses, pertains altogether to that book.

Q. Did you take other testimony?—A. Yes, sir.

Q. Did any of the rest of the testimony which you took at that place relate to a copy of the poll books?—A. No, sir; that was the only poll book I examined.

Q. That was the only poll book examined before you?—A. Yes, sir.

Q. What do the remainder of the depositions that you took at that place relate to?—A. They relate to the examination of the ballot boxes of the precincts in the different wards.

(Counsel for contestant now offers in evidence the copy of depositions which was taken before the witness relating to the poll books of the eleventh precinct of the Twenty-fourth Ward, and which has been examined and compared by him, and asks that it be marked "Contestant's Exhibit No. 7.")

Mr. RICHEY. You say that you took the testimony of witnesses other than those you have heretofore mentioned?

A. Yes, sir.

Q. These other witnesses' depositions were taken before you at rooms 6 and 7 of Keiser Building, 417 Pine street?—A. Yes, sir.

Q. Can you state the names of the witnesses whose depositions you took at 417 Pine street?—A. Yes; these are the witnesses: Martin Delaney, 3009 Pine street; George P. Kolb, 317 South Twenty-third street; Joseph L. Schuler, 1030 Clark avenue; George Dabney, 1337 Gay street; C. E. Udell, 4009 Westminster place; Peter Repscher, 2147 Adams street; John Stack, 2110 Adams street; I. H. Bradbury, 2124 Adams street; George Yeager, 2751 Manchester avenue; William Taylor, 2911 Lawton avenue; Walter W. Trice, 622 North Beaumont street; Robert Walker, Hotel Barnum; George Popp, 110 Spruce street; Joe Eismenger, 214 Valentine street; Granderson Boyd, 216 Valentine street; Frank Xavier, 214 Valentine street; Herman Knecht, 318 South Fourth street; Adolph F. Congot, 209½ South Seventh street; John F. Koshowsky, 704 Market street; Pat Earner, 638 South Seventh street; Henry Horchler, 1326 Clark avenue; Henry Green, 1319 Linden street; Oscar Herzog, 1400 Morgan street; Green Moore, 1521 Lucas (rear); William Carson, 1310 Gay street; Louis Alewel, 2002 Washington street; John B. Owen, 1206 Morrison avenue; Lee H. Vollnecke, 2653 Olive street; Sigmund L. Kramer, 1618 Market street; Mrs. Margaret Campbell, 2644 Olive street; William Hahn, jr., 114 South Third street; M. L. Turner, 2806 Locust street; Guy W. Williams, 2140 Eugenia street; John Gentner, 2138 Eugenia street; Daniel D. Carrol, 1326 Morgan street; E. S. Evertson, 2846 Lawton avenue; Herman Demuth, 202 South Second street; P. M. Cunningham, Tenth and Locust streets; Arthur Kiburz, 611 South Second street, Fritz Schreier, 509 South Second street; Alex. Wells, 309 Spruce street; Santo Dani, 320 Walnut street; Otto Weisse, 824 Walnut street; Moses Sargent, 706 North Fourteenth street; E. Heyd, 411 North Fourteenth street; Henry Thomas, 1317 Morgan street; Tony Barnes, 1324 Gay street; Joseph Farrel, 1521 Lucas (rear); Ben McMillan, 721 North Fourteenth street; John H. Bell, 1520 Morgan street; Louis J. Bischoff, 1320 Spruce street; William Heitman, 110 Spruce street; William R. Faulkner, mounted police station.

Q. Did you have a carbon copy of all of the testimony of all of these witnesses whose names and addresses you have given us made?—A. Yes.

Q. Have you that carbon copy here present?—A. Yes, sir.

Q. Have you carefully compared the carbon copy of the testimony of these witnesses with the original?—A. Yes, sir.

Q. Did you find on your examination that the carbon copies were true copies of the original in every particular?—A. Yes, sir.

Q. Have you the carbon copy about which you have just testified in your possession?—A. Yes, sir; here it is.

(Here witness produces a copy of the testimony of the witnesses who testified before him in the case of George C. R. Wagoner against James J. Butler, pending before the Fifty-seventh Congress, and whose names and addresses are heretofore set out in this deposition.)

Mr. RICHY. On behalf of the contestant I now offer this true copy, as produced by this witness on behalf of Mr. George D. Reynolds, the contestant, and ask that the same be marked "Contestant's Exhibit No. 8, of February 4, 1903."

No cross-examination.

JAMES D. HALTER.

Subscribed and sworn to before me this 5th day of January, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term will expire June 26, 1905.

I now adjourn the further taking of testimony in this proceeding until the hour of 2 o'clock of this 4th day of February, 1903.

Pursuant to adjournment as above expressed, I resume the taking of testimony in this proceeding at the hour of 2 o'clock p. m. this 4th day of January, 1903.

CHARLES W. HOLTCAMP, 'of lawful age, being produced and sworn and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHY:

Q. Your name is Charles W. Holtcamp?—A. Yes, sir.

Q. You live in the city of St. Louis?—A. Yes, sir.

Q. You are a practicing lawyer?—A. I am.

Q. I will ask you whether or not you have examined, page by page, the testimony in the case of George C. R. Wagoner, contestant, against James J. Butler, contestee, now pending in the Fifty-seventh Congress of the United States from the Twelfth

district of Missouri, as given by the following witnesses, to wit: William S. Collins, Charles W. Sunshine, William Hines, A. F. Gallegly, Kennett M. McAlpine, James Forristall, William May, and Frank Dubois before Charles H. Tolles, notary public, and as signed by these several witnesses, respectively, before the said notary?—A. Yes, sir.

Q. Have you made or have you caused to be made a carbon copy of such testimony?—A. As one of the attorneys for George C. R. Wagoner in the contest between George C. R. Wagoner and James J. Butler, I directed the stenographers who took the testimony of the witnesses named to make a carbon copy of said testimony when it was being written out on the typewriter. I have examined that carbon, which I now have here, page by page, and the same is a true copy of said testimony.

Mr. RICHEY. I now offer this carbon copy as an exhibit in this case and ask the notary to mark the same "Contestant's Exhibit No. 10, of February 4, 1903."

No cross-examination.

CHAS. W. HOLTCAMP.

Subscribed in my presence and sworn to before me this 4th day of February, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

I now adjourn the further taking of testimony in this proceeding until the hour of 10 o'clock on to-morrow, the 5th day of February, 1903.

I now resume the taking of testimony in the above cause this 5th day of February, 1903, at the hour of 10 o'clock a. m. Appearances: For contestant, Messrs. William M. Kinsey, Frank E. Richey, and Charles W. Holtcamp. No appearance for contestee.

Mr. RICHEY. I now offer in evidence, on behalf of contestant, Revised Statutes of Missouri of 1899, generally, and particularly the general chapter relating to Congressional and electoral districts in Missouri, and especially section 6611 of said statutes.

We also offer in evidence provisions of election laws of the State of Missouri, prescribing the qualifications and duties of voters and election officers and imposing penalties upon election officers and voters and persons attempting or offering to vote in neglect or violation of law, etc., compiled from the State constitution and laws and published under authority of section 7004, Revised Statutes, 1899, by Sam B. Cook, secretary of state.

We also offer in evidence the Official Manual of the State of Missouri for 1901 and 1902, compiled and published by Sam B. Cook, secretary of state, which said manual is published by authority of the laws of Missouri, and especially under the authority found in section 4175, Revised Statutes of Missouri of 1899.

We also offer in evidence the session acts of 1901, being the laws passed by the general assembly of the State of Missouri in the year 1901.

We also offer in evidence one copy of the City Directory of the city of St. Louis for the year 1902, as published by the Gould Directory Company, of St. Louis, Mo., and ask that the same be marked "Contestant's Exhibit No. 1, of February 5, 1903."

We also offer in evidence copy of the testimony of Harry B. Hawes given in the contested-election case of William M. Horton v. James J. Butler, from the Twelfth Congressional district, before the Fifty-seventh Congress of the United States, which said testimony is subscribed and sworn to by the said Harry B. Hawes on the 1st day of March, 1901, before Flavins J. North, notary public in and for the city of St. Louis, State of Missouri, and ask that the same be marked "Contestant's Exhibit No. 2 of February 5, 1903."

We also offer in evidence the testimony of Harry B. Hawes, taken on the part of the contestee in the contested-election case of George C. R. Wagoner, contestant, v. James J. Butler, contestee, now pending before the Fifty-seventh Congress of the United States, from the Twelfth Congressional district of Missouri, short term, and ask that the same be marked "Contestant's Exhibit No. 3, of February 5, 1903."

I now adjourn the further taking of testimony in this proceeding until the hour of 2 o'clock p. m. of this 5th day of February, 1903.

I now resume the taking of testimony in this proceeding, at the hour of 2 o'clock p. m. of this 5th day of February, 1903.

EUGENE BUDER, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. State your name in full.—A. Eugene Buder.

Q. Are you a notary public?—A. Yes, sir.

Q. Did you, as a notary, take any of the testimony in the contested-election case of George C. R. Wagoner against James J. Butler?—A. Yes, sir; I took testimony in that case.

Q. State in a general way what testimony it was you took.—A. I took the testimony of about twenty-five witnesses at the Keiser Building, 417 Pine street, in this city, and I also took the testimony of some four clerks employed in the election commissioners' office in the city of St. Louis, referring to the counting of the ballots and the comparison of the poll books of the different wards and precincts.

Q. The latter testimony referred to was taken at the election commissioners' office?—A. Yes, sir; in the city hall.

Q. Have you in your possession the original deposition taken at the office of the election commissioners of this city, at the city hall, in which is contained a copy, or comparison, as you state, of the poll books of certain precincts and wards?—A. Yes, sir.

Q. Are you able to state in what precincts and wards you took copies of the poll books to which you refer in that case?—A. I can not state it from memory, but I can on examining the deposition.

Q. Will you examine your deposition and see from what precincts and wards you took copies of the poll books?—A. The thirteenth precinct of the Twenty-fourth Ward. That seems to be the only precinct and ward where copies of the poll books were made before me.

Q. Whose testimony was it you took in making this copy of the poll books of the thirteenth precinct of the Twenty-fourth Ward?—A. It was Charles Claudius and Louis Wagemann.

Q. Mr. Buder, when you took the testimony of these two witnesses relating to the copying of poll books of the thirteenth precinct of the Twenty-fourth Ward, did you have a carbon copy made of the testimony?—A. Yes, sir; there was a carbon copy made in my presence.

Q. Have you that carbon copy now in your possession?—A. Yes, sir; I have it right here.

Q. I will ask you to state whether or not you have examined and compared the carbon copy of this testimony with the original deposition of which it is a copy?—A. Yes, sir; I have.

Q. State whether the carbon copy to which you now refer and now hold in your hand is a true and exact copy of the original deposition.—A. It is, with the exception of some lead-pencil marks at the heading of page 134.

Mr. KINSEY. I now offer in evidence the carbon copy of the original deposition relating to the poll books of the thirteenth precinct of the Twenty-fourth Ward, taken by the witness and examined and compared by him with the original deposition, and ask that it be marked "Contestant's Exhibit No. 4, of February 5, 1903."

By Mr. KINSEY. Was the original deposition, of which the copy just produced by you has been offered in evidence, subscribed and sworn to by the witnesses whom you have named?

A. It was.

No cross-examination.

EUGENE BUDER.

Subscribed in my presence and sworn to before me this 5th day of February, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

STATE OF MISSOURI, City of St. Louis, ss:

I, A. R. Russell, a notary public within and for the city of St. Louis, in the State of Missouri, do certify that, in pursuance of notice duly served and hereto attached, came before me, at the Keiser Building, No. 417 Pine street, in the city and State aforesaid, George D. Reynolds, George B. Teasdale, Sidney L. Barnard, William D. Moore, James D. Halter, Charles W. Holcamp, and Eugene Buder, who were by me severally sworn to testify the whole truth of their knowledge touching the matter in controversy aforesaid; that they were examined and their examination reduced to writing in my presence and subscribed by them, respectively, in my presence on the day between the hours and at the place in that behalf first aforesaid, and their said depositions are now herewith returned.

Given at St. Louis, in the State of Missouri, this 5th day of February, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

NOTICE TO TAKE DEPOSITIONS.

ST. LOUIS, Mo., *January 29, 1903.*TO JAMES J. BUTLER, *Contestee, and to his Attorneys:*

You are hereby notified that on the 2d day of February, 1903, beginning at the hour of 10 o'clock a. m., before A. R. Russell or J. T. Saunders, notaries public, at the rooms of the board of election commissioners of the city of St. Louis, in the city hall of the said city of St. Louis, Mo., testimony of witnesses will be taken on my behalf for use in the contested election case now pending before the Fifty-eighth Congress of the United States, from the Twelfth Congressional district of Missouri, in which case I am the contestant and you are the contestee, for the office of Representative from the said district in the said Congress, and if the taking of said testimony is not concluded on that day the further taking thereof will be continued at the same place, and beginning at the same hour, from day to day until entirely concluded.

Names and addresses of witnesses will be taken under this notice: James McCaffery, 1733 Mississippi avenue; Louis P. Aloe, 4535 Maryland avenue; John M. Wood, 5535 Clemens avenue; John Ellspermann, jr., 2126 Wyoming street.

GEORGE D. REYNOLDS,

Contestant,

By CHAS. W. HOLTCAMP,

FRANK E. RICHEY,

*His Attorneys.*STATE OF MISSOURI, *City of St. Louis, ss:*

I hereby certify that I served the foregoing notice on James J. Butler, the contestee, on the 29th day of January, 1903, in the city of St. Louis, Mo., by leaving a duplicate of this notice at his usual place of residence in the city of St. Louis, Mo., after making diligent search to find and serve him personally; also, after diligent effort to find counsel who professes to represent him, without finding either contestee or his counsel.

SID. L. BARNARD.

Subscribed and sworn to before me this 29th day of January, A. D. 1903.

[SEAL].

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

Depositions of witnesses produced, sworn, and examined on this 2d day of February, 1903, between the hours of 8 a. m. and 6 p. m., before me, A. R. Russell, a notary public within and for the city of St. Louis, State of Missouri, at the office of the election commissioners, in the city hall, in said city and State, in the contested election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, in which George D. Reynolds is the contestant and James J. Butler is the contestee, on behalf of the contestant.

Not being able to commence the taking of said depositions this day, I hereby adjourn the same until to-morrow, February 3, 1903, at the hour of 10 o'clock a. m.

On this 3d day of February, 1903, I began the taking of depositions in this cause, and the following proceedings were had:

Appearances: William Kinsey, esq., for contestant; no appearance for contestee.

Counsel for contestant asked that Mr. John Ellspermann be sworn as a witness; thereupon the said witness refused to be sworn or to testify in this case pending the time of having counsel of his attorney, who is the city counselor, as to whether he is properly a witness or not, and thereupon the further taking of these depositions was adjourned until to-morrow, the 4th day of February, 1903, at the hour of 2 o'clock.

Pursuant to adjournment, I commenced the further taking of these depositions on this 4th day of February, 1903, at the hour of 2 o'clock p. m.

Appearances: William M. Kinsey, esq., for contestant.

Messrs. H. M. Walsh and Thomas Mitchell Rogers appear specially for the purpose only of protesting against the taking of these depositions, on behalf of the contestee.

By Mr. KINSEY. On yesterday, Mr. Ellspermann, I asked you to be sworn in the contested election case of George D. Reynolds against James J. Butler, now pending before the Fifty-eighth Congress, from the Twelfth Congressional district of Missouri, and you at that time refused to be sworn pending advice of counsel whether or not you ought to be sworn. I now ask you again to be sworn in this case.

Mr. ELLSPERMANN. I am willing to be sworn.

JOHN ELLSPERMANN, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith.

Direct examination by Mr. KINSEY, attorney for contestant:

Q. Please give your name?—A. John Ellspermann.

Q. You are secretary of the board of election commissioners of the city of St. Louis, Mo.?—A. I am.

Q. And as such secretary you are authorized by law to act as deputy commissioner?—A. I am.

Q. I desire to notify you, Mr. Ellspermann, as secretary of the board of election commissioners and as a deputy commissioner, that on resuming the taking of testimony, at such time as I shall ask the notary to adjourn these depositions, to produce all of the poll books that were used in the Twelfth Congressional district of Missouri at the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and I am giving you this notice now so that you will be advised of what you will be expected to produce. I now ask the notary to adjourn the further taking of these depositions until the 5th day of February, 1903, at the same place, at the hour of 9 o'clock.

I adjourn the further taking of these depositions until to-morrow, the 5th day of February, at the hour of 9 o'clock.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding at the hour of 2 o'clock p. m. of this 5th day of February, 1903.

Present: Messrs. William M. Kinsey and Charles W. Holtcamp, for contestant; no appearance for contestee.

Q. (By Mr. HOLTCAMP.) Will you produce the poll books of the first precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 197 votes; George D. Reynolds received 24 votes; Christ. Rocker received 3 votes; Henry H. Artz received 1 vote.

Q. Will you now state how many judges and clerks signed the above-named poll books?—A. Four judges and 2 clerks.

Q. Will you produce the poll books of the second precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 472 votes; George D. Reynolds received 17 votes.

Q. Will you now state how many judges and clerks signed the above-named poll books?—A. Four judges and 1 clerk.

Q. Will you produce the poll books of the third precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 215 votes, George D. Reynolds received 50 votes.

Q. Will you now state how many judges and clerks signed the above poll books?—A. Three judges and 1 clerk.

Q. Will you produce the poll books of the fourth precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 203 votes; George D. Reynolds received 65 votes.

Q. How many judges and clerks signed the above-named poll books?—A. Four judges and 2 clerks signed the certificate.

Q. Will you produce the poll books of the fifth precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 321 votes; George D. Reynolds received 24 votes; Henry H. Artz received 1 vote; William Billsbarrow received 1 vote; Christ. Rocker received 1 vote.

Q. Will you now state how many judges and clerks signed the above-named poll books?—A. Four judges and 2 clerks signed the certificate.

Q. Will you now produce the poll books of the sixth precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 131 votes; George D. Reynolds received 26 votes; Henry Artz received 2 votes.

Q. Will you now state how many judges and clerks signed the above-named poll books?—A. Four judges and two clerks signed the certificate.

Q. Will you now produce the poll books of the seventh precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 350 votes; George D. Reynolds received 36 votes.

Q. Will you please state how many judges and clerks signed the above-named poll book?—A. Four judges and two clerks signed this certificate.

Q. Will you now produce the poll books of the eighth precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 88 votes; George D. Reynolds received 67 votes; Christ. Rocker received 3 votes; Henry Artz received 2 votes; William Billsbarrow received 1 vote.

Q. Will you now state how many judges and clerks signed the above certificate?—A. Four judges and two clerks signed the certificate.

Q. Will you now produce the poll books of the ninth precinct of the Fourth Ward used in the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 237 votes; George D. Reynolds received 21 votes.

Q. Will you now state how many judges and clerks signed the above poll books?—A. The certificate is signed by four judges and two clerks.

Q. Do the above comprise all the poll books of the Fourth Ward?—A. The nine poll books above mentioned comprise all the poll books in the Fourth Ward.

Q. Will you now produce the poll books of the first precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 100 votes; George D. Reynolds received 40 votes; Artz received 14 votes.

Q. Will you now state how many judges and clerks have signed the above poll books?—A. Three judges and two clerks.

Q. Will you now produce the poll books of the second precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 141 votes; George D. Reynolds received 110 votes.

Q. Will you now state how many judges and clerks signed the poll books above named?—A. Four judges and two clerks signed the certificate.

Q. Will you produce the poll books of the third precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 226 votes; William Billsbarrow received 2 votes; George D. Reynolds received 66 votes; Christ. Rocker received 5 votes; Hy. Artz received 2 votes.

Q. Will you now state how many judges and clerks signed the poll books above named?—A. The certificate is signed by four judges and two clerks.

Q. Will you produce the poll books of the fourth precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 491 votes; Reynolds received 39 votes.

Q. Will you now state how many judges and clerks signed the poll books above named?—A. Four judges and two clerks signed this certificate.

Q. Will you now produce the poll books of the fifth precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. The returns in this certificate seem to be transposed. The names of the long-term candidates with the vote cast for each being written in the spaces reserved for the short-term candidates. In the space for the long term James J. Butler received 184 votes and George C. R. Wagoner received 30 votes. In the short-term space James J. Butler received 192 votes and George D. Reynolds received 30 votes.

Q. How many judges and clerks signed the poll books above named?—A. This certificate is signed by four judges and two clerks.

Q. Will you now produce the poll books of the sixth precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 189 votes; George D. Reynolds received 57 votes; Henry H. Artz received 1 vote; William Billsbarrow received 1 vote; Christ. Rocker received 2 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks signed the certificate.

Q. Will you now produce the poll books of the seventh precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 226 votes; George D. Reynolds received 58 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the eighth precinct of the Fifth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 46 votes; George D. Reynolds received 38 votes.

Q. How many judges and clerks signed the poll books above named?—A. Signed by four judges and two clerks.

Q. Will you now produce the poll books of the ninth precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 141 votes; George D. Reynolds received 72 votes; Henry H. Artz received 7 votes; Christ. Rocker received 2 votes.

Q. How many judges and clerks signed the poll books above named?—A. Signed by four judges and two clerks.

Q. Will you now produce the poll books of the tenth precinct of the Fifth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 97 votes; George D. Reynolds received 52 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Do the above comprise all of the poll books of the Fifth Ward?—A. The ten poll books above mentioned comprise all the poll books in the Fifth Ward.

Q. Will you now produce the poll books of the first precinct of the Sixth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 134 votes; George W. Reynolds received 75 votes; Henry Artz received 6 votes; Christ. Rocker received 4 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the second precinct of the Sixth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of

votes cast in said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 85 votes; George G. Reynolds received 94 votes; Henry H. Artz received 6 votes; Christ. Rocker received 4 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the third precinct of the Sixth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 250 votes; George D. Reynolds received 28 votes; Christ. Rocker received 6 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the fourth precinct of the Sixth Ward used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 122 votes; George D. Reynolds received 89 votes; Christ. Rocker received 7 votes; Hy. H. Artz received 2 votes; William Billsbarrow none.

Q. How many judges and clerks signed the poll books above named?—A. Three judges and one clerk.

Q. Will you now produce the poll books of the fifth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 137 votes; George D. Reynolds received 101 votes; Christ. Rocker received 2 votes; H. A. Artz received 8 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the sixth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 67 votes; George D. Reynolds received 135 votes; Christ. Rocker received 9 votes; Henry H. Artz received 6 votes; William Billsbarrow received 2 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the seventh precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 87 votes; George D. Reynolds received 96 votes; Henry H. Artz received 11 votes; Christ. Rocker received 13 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the eighth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 339 votes; George D. Reynolds received 32 votes.

Q. How many judges and clerks signed the above-named poll books?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the ninth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. George D. Reynolds received 85 votes; James J. Butler received 67 votes; Christ. Rocker received 10 votes; Henry H. Artz received 5 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the tenth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. C. Rocker received 1 vote; William Billsbarrow received 2 votes; James J. Butler received 91 votes; Henry Artz received 2 votes; George D. Reynolds received 121 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and one clerk.

Q. Will you now produce the poll books of the eleventh precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 65 votes; George D. Reynolds received 85 votes; Christ. Rocker received 4 votes; Henry H. Artz received 4 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the twelfth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 98 votes; George D. Reynolds received 61 votes; William Billsbarrow received 6 votes; Henry H. Artz received 2 votes.

Q. How many judges and clerks signed the poll books above named?—A. Four judges and two clerks.

Q. Will you now produce the poll books of the thirteenth precinct of the Sixth Ward, used in the election held in the city of St. Louis on the 4th day of November, 1902, and read therefrom the certificate of the judges and clerks, showing the number of votes cast in the said precinct for Congressman for the long term in the Twelfth Congressional district of Missouri?—A. James J. Butler received 85 votes; George D. Reynolds received 65 votes; Christ. Rocker received 11 votes; Henry Artz received 2 votes.

Q. How many judges and clerks signed the poll books above named?—A. Three judges and two clerks.

Q. Do the above comprise all of the poll books of the Sixth Ward?—A. The thirteen poll books above mentioned comprise all the poll books in the Sixth Ward.

I now adjourn the further taking of these depositions until the hour of 9 o'clock to-morrow, the 6th day of February, 1903.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding at the hour of 10 o'clock on this 6th day of February.

Present, Mr. J. Clarence Taussig, for contestant; no appearance for contestee.

Q. (By Mr. TAUSSIG.) Will you produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all the precincts of the Thirteenth Ward, and read therefrom in consecutive order the vote certified by the respective judges and clerks of said precincts to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri for the long term, and also state the number of judges and clerks who signed each respective poll book?—A. In precinct 1 the candidates received votes as follows: James J. Butler received 117 votes; George D. Reynolds received 151 votes; Christ. Rocker received 2 votes; Henry H. Artz received 2 votes; William H. Billsbarrow received no votes. Certificate is signed by four judges and two clerks.

In precinct 2 the candidates received votes as follows: James J. Butler received 125 votes; George D. Reynolds received 155 votes. The certificate is signed by four judges and two clerks.

In precinct 3 the candidates received votes as follows: James J. Butler received 146 votes; George D. Reynolds received 232 votes; Christ. Rocker received 2 votes; Henry H. Artz received 2 votes; William Billsbarrow received no votes. The certificate is signed by four judges and two clerks.

In precinct 4 the candidates received votes as follows: James J. Butler received 135 votes; Reynolds received 148 votes; Billsbarrow received 1 vote; Artz received 10 votes; Rocker received 3 votes. The certificate is signed by four judges and two clerks.

In precinct 5 the candidates received votes as follows: James J. Butler received 133 votes; George D. Reynolds received 92 votes; Christ. Rocker received 4 votes; Henry

H. Artz received 3 votes; William Billsbarrow received no votes. The certificate is signed by four judges and two clerks.

In precinct 6 the candidates received votes as follows: James J. Butler received 125 votes; George D. Reynolds received 112 votes; Christ. Rucker received 10 votes; Henry Artz received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 7 the candidates received votes as follows: James J. Butler received 141 votes; Geo. D. Reynolds received 102 votes; C. Rucker received 13 votes; H. H. Artz received 2 votes; W. Billsbarrow received 2 votes. The certificate is signed by four judges and two clerks.

In precinct 8 the candidates received votes as follows: James J. Butler received 100 votes; George D. Reynolds received 134 votes; Henry H. Artz received 3 votes; Christ. Rucker received 4 votes. The certificate is signed by four judges and two clerks.

In precinct 9 the candidates received votes as follows: George D. Reynolds received 170 votes; James J. Butler received 61 votes; Henry Artz received 1 vote; Christ. Rucker received 4 votes; William Billsbarrow received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 10 of the Thirteenth Ward James J. Butler received 64 votes; George D. Reynolds received 170 votes; Henry Artz received 1 vote; Christ. Rucker 1 vote. Four judges and two clerks signed the certificate.

In precinct 11 the candidates received votes as follows: James J. Butler received 120 votes; George D. Reynolds received 111 votes; George C. R. Wagoner received 2 votes; William Billsbarrow received 1 vote; Christ. Rucker received 7 votes; Henry Artz received 4 votes. The certificate is signed by four judges and two clerks.

In precinct 12 the candidates received votes as follows: James J. Butler received 216 votes; George D. Reynolds received 64 votes. The certificate is signed by four judges and two clerks. These twelve precincts include the entire Thirteenth Ward.

Q. Will you now produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all precincts of the Fourteenth Ward, and read therefrom in consecutive order the vote certified by the respective judges and clerks of said precincts to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri for the long term, and also state the number of judges and clerks who signed each respective poll book.—

A. In precinct 1 the candidates received votes as follows: James J. Butler received 131 votes; George D. Reynolds received 47 votes. The certificate is signed by four judges and two clerks.

In precinct 2 the candidates received votes as follows: James J. Butler received 177 votes; George D. Reynolds received 35 votes. The certificate is signed by four judges and two clerks.

In precinct 3 the candidates received votes as follows: James J. Butler received 161 votes; George D. Reynolds received 49 votes; Christ. Rucker received 6 votes. The certificate is signed by four judges and two clerks.

In precinct 4 the candidates received votes as follows: James J. Butler received 179 votes; George D. Reynolds received 49 votes. The certificate is signed by four judges and two clerks.

In precinct 5 the candidates received votes as follows: James J. Butler received 206 votes; George D. Reynolds received 56 votes; Christ. Rucker received 4 votes; H. Artz received 4 votes; William Billsbarrow received 2 votes. The certificate is signed by four judges and two clerks.

In precinct 6 the candidates received votes as follows: James J. Butler received 190 votes; George D. Reynolds received 55 votes. The certificate is signed by four judges and two clerks.

In precinct 7 the candidates received votes as follows: James J. Butler received 121 votes; George D. Reynolds received 91 votes; Christ. Rucker received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 8 the candidates received votes as follows: James J. Butler received 493 votes; George D. Reynolds 50 votes. The certificate is signed by four judges and two clerks.

In precinct 9 the candidates received votes as follows: James J. Butler received 47 votes; George D. Reynolds received 69 votes. The certificate is signed by four judges and two clerks.

In precinct 10 the candidates received votes as follows: James J. Butler received 383 votes; George D. Reynolds received 89 votes. The certificate is signed by four judges and two clerks.

In precinct 11 the candidates received votes as follows: James J. Butler received 156 votes; George D. Reynolds received 57 votes; Henry Artz received 4 votes. The certificate is signed by four judges and two clerks.

The above 11 precincts include the entire Fourteenth Ward.

Q. Will you now produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all precincts of the Fifteenth Ward, and read therefrom in consecutive order the vote certified by the respective judges and clerks of said precincts to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri for the long term, and also state the number of judges and clerks who signed each respective poll book?—

A. In precinct 1 the candidates received votes as follows: James J. Butler received 106 votes; George D. Reynolds received 41 votes. The certificate is signed by two judges and one clerk, the signature of one judge having an ink line drawn through it.

In precinct 2 the candidates received votes as follows: James J. Butler received 54 votes; George D. Reynolds received 34 votes; C. Rocker received 4 votes; H. H. Artz received 1 vote; W. Billsbarrow received 1 vote. The certificate is signed by three judges and two clerks.

In precinct 3 the candidates received votes as follows: James J. Butler received 49 votes; George D. Reynolds received 51 votes; Christ. Rocker received 3 votes; Henry H. Artz received 2 votes. The certificate is signed by four judges and two clerks.

In precinct 4 the candidates received votes as follows: James J. Butler received 66 votes; George D. Reynolds received 77 votes; Christ. Rocker received 11 votes; Henry H. Artz received 4 votes; William Billsbarrow received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 5 the candidates received votes as follows: James J. Butler received 66 votes; George D. Reynolds received 74 votes; Henry H. Artz received 2 votes; William Billsbarrow received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 6 the candidates received votes as follows: James J. Butler received 95 votes; George D. Reynolds received 42 votes. The certificate is signed by three judges and two clerks.

In precinct 7 the candidates received votes as follows: James J. Butler received 82 votes; George D. Reynolds received 11 votes; Christ. Rocker received 7 votes; William Billsbarrow received 4 votes. The certificate is signed by four judges and two clerks.

In precinct 8 the candidates received votes as follows: James J. Butler received 74 votes; George D. Reynolds received 80 votes; C. Rocker received 19 votes; H. Artz received 2 votes. The certificate is signed by four judges and two clerks.

In precinct 9 the candidates received votes as follows: James J. Butler received 189 votes; George D. Reynolds received 89 votes; Christ. Rocker received 5 votes. The certificate is signed by four judges and two clerks.

In precinct 10 the candidates received votes as follows: No returns for Congressman for the long term made in this precinct. The certificate is signed by four judges and two clerks.

In precinct 11 the candidates received votes as follows: James J. Butler received 92 votes; George D. Reynolds received 43 votes; Christ. Rocker received 1 vote; H. H. Artz received 5 votes; Billsbarrow received 1 vote. The certificate is signed by four judges and two clerks.

The above eleven precincts include the entire Fifteenth Ward.

Q. Will you now produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all precincts of the Twenty-second Ward, and read therefrom in consecutive order the votes certified by the respective judges and clerks of said precincts to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri, for the long term, and also state the number of judges and clerks who signed each respective poll book?—A. In precinct 1 the candidates received votes as follows: James J. Butler received 395 votes; George D. Reynolds received 8 votes; H. H. Artz received 1 vote; Christ. Rocker received 3 votes. The certificate is signed by four judges and two clerks.

In precinct 2 the candidates received votes as follows: James J. Butler received 47 votes; George D. Reynolds received 79 votes. The certificate is signed by three judges and two clerks.

In precinct 3 the candidates received votes as follows: James J. Butler received 141 votes; George D. Reynolds received 63 votes; Christ. Rocker received 2 votes. The certificate is signed by four judges and two clerks.

In precinct 4 the candidates received votes as follows: George D. Reynolds received 99 votes; James J. Butler received 43 votes; Christ. Rocker received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 5 the candidates received votes as follows: James J. Butler received 332 votes; George D. Reynolds received 70 votes. The certificate is signed by three judges and two clerks.

In precinct 6 the candidates received votes as follows: James J. Butler received 103 votes; George D. Reynolds received 116 votes; Henry H. Artz received 3 votes. The certificate is signed by four judges and two clerks.

In precinct 7 the candidates received votes as follows: James J. Butler received 111 votes; Henry H. Artz received 8 votes; George Reynolds received 75 votes. The certificate is signed by four judges and two clerks.

In precinct 8 the candidates received votes as follows: James J. Butler received 57 votes; George D. Reynolds received 94 votes; Henry H. Artz received 3 votes. The certificate is signed by four judges and two clerks.

In precinct 9 the candidates received votes as follows: James J. Butler received 192 votes; George D. Reynolds received 86 votes. The certificate is signed by four judges and two clerks.

In precinct 10 the candidates received votes as follows: James J. Butler received 78 votes; George D. Reynolds received 113 votes; Christ. Rocker received 1 vote; Henry H. Artz received 4 votes. The certificate is signed by four judges and two clerks.

In precinct 11 the candidates received votes as follows: One poll book and certificate shows George D. Reynolds received 80 votes; James J. Butler received 160 votes; Henry H. Artz received 5 votes. The other shows James J. Butler received 167 votes; George D. Reynolds received 80 votes; Henry H. Artz received 5 votes. Both certificates are signed by four judges and two clerks.

In precinct 12 the candidates received votes as follows: James J. Butler received 193 votes; George D. Reynolds received 65 votes; Henry Artz received 3 votes. Certificates signed by four judges and two clerks.

In precinct 13 the candidates received votes as follows: James J. Butler received 115 votes; George D. Reynolds received 111 votes; Henry H. Artz received 8 votes. Certificates signed by four judges and two clerks.

The above 13 precincts comprise the entire Twenty-second Ward.

I now adjourn the taking of these depositions until the hour of 2 o'clock of this 6th day of February, 1903.

At the hour of 2.30 p. m. I resumed the further taking of testimony in this proceeding.

Present, Charles W. Holtcamp for contestant; no appearance for contestee.

Q. (By Mr. HOLT CAMP.) Will you now produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all precincts of the Twenty-third Ward, and read therefrom in consecutive order the vote certified by the respective judges and clerks of said precincts to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri, for the long term, and also state the number of judges and clerks who signed each respective poll book?—A. In precinct 1 the candidates received votes as follows: James J. Butler received 106 votes; George D. Reynolds received 56 votes; Christ. Rocker received 3 votes; Henry H. Artz received 2 votes; William Billsbarrow received 1 vote. Four judges and two clerks signed the certificate.

In precinct 2 the candidates received votes as follows: James J. Butler received 103 votes; George D. Reynolds received 48 votes. Four judges and two clerks signed the certificate.

In precinct 3 the candidates received votes as follows: James J. Butler received 202 votes; George D. Reynolds received 51 votes. Four judges and two clerks signed the certificate.

In precinct 4 the candidates received votes as follows: James J. Butler received 204 votes; George D. Reynolds received 38 votes. Four judges and two clerks signed the certificate.

In precinct 5 the candidates received votes as follows: James J. Butler received 88 votes; George D. Reynolds received 55 votes; Henry H. Artz received 2 votes; Christ. Rocker received 1 vote. Four judges and two clerks signed the certificate.

In precinct 6 the candidates received votes as follows: James J. Butler received 141 votes; George D. Reynolds received 51 votes. The certificate is signed by four judges and two clerks.

In precinct 7 the candidates received votes as follows: George D. Reynolds received 35 votes; James J. Butler received 82 votes; Christ. Rocker received 1 vote. Four judges and two clerks signed the certificate.

In precinct 8 the candidates received votes as follows: James J. Butler received 53 votes; George D. Reynolds received 53 votes; Henry H. Artz received 1 vote; Christ. Rocker received 2 votes. Four judges and two clerks signed the certificate.

In precinct 9 the candidates received votes as follows: James J. Butler received 121

votes; George D. Reynolds received 77 votes; Christ. Rucker received 6 votes; Henry H. Artz received 1 vote. Certificate is signed by four judges and two clerks.

In precinct 10 the candidates received votes as follows: James J. Butler received 130 votes; George D. Reynolds received 137 votes; H. H. Artz received 2 votes; William Billsbarrow received 1 vote; Christ. Rucker received 7 votes. Four judges and two clerks signed the certificate.

In precinct 11 the candidates received votes as follows: James J. Butler received 102 votes; George D. Reynolds received 167 votes; Christ. Rucker received 10 votes. Four judges and two clerks signed the certificate.

In precinct 12 the candidates received votes as follows: James J. Butler received 285 votes; George D. Reynolds received 53 votes; Henry H. Artz received 2 votes. Four judges and two clerks signed the certificate.

In precinct 13 the candidates received votes as follows: James J. Butler received 363 votes; George D. Reynolds received 70 votes. Four judges and two clerks signed the certificate.

The thirteen precincts above comprise the entire Twenty-third ward.

Q. Will you now produce the poll books used at the election held November 4, 1902, in the city of St. Louis, Mo., in all precincts of the Twenty-fifth ward, and read therefrom in consecutive order the vote certified to have been cast in each of said precincts for the several candidates for Congress in the Twelfth Congressional district of Missouri for the long term, and also state the number of judges and clerks who signed the respective poll book?—A. In precinct 1 the candidates received votes as follows: James J. Butler received 108 votes; George D. Reynolds received 109 votes; Christ. Rucker received 1 vote; Henry Artz received 1 vote. Four judges and two clerks signed the certificate.

In precinct 2 the candidates received votes as follows: James J. Butler received 129 votes; George D. Reynolds received 147 votes. The certificate is signed by four judges and two clerks.

In precinct 3 the candidates received votes as follows: James J. Butler received 87 votes; George D. Reynolds received 174 votes; Christ. Rucker received 2 votes; Henry H. Artz received 1 vote. Four judges and two clerks signed the certificate.

In precinct 4 the candidates received votes as follows: James J. Butler received 108 votes; George D. Reynolds received 136 votes; Henry H. Artz received 2 votes; Christ. Rucker received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 5 the candidates received votes as follows: James J. Butler received 69 votes; George D. Reynolds received 150 votes; Henry Artz received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 6 the candidates received votes as follows: James J. Butler received 34 votes; George D. Reynolds received 116 votes; Henry H. Artz received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 7 the candidates received votes as follows: George D. Reynolds received 164 votes; James J. Butler received 43 votes. The certificate is signed by four judges and two clerks.

In precinct 8 the candidates received votes as follows: James J. Butler received 100 votes; George D. Reynolds received 241 votes. The certificate is signed by four judges and two clerks.

In precinct 9 the candidates received votes as follows: George D. Reynolds received 146 votes; James J. Butler received 72 votes. The certificate is signed by four judges and two clerks.

In precinct 10 the candidates received votes as follows: James J. Butler received 61 votes; George D. Reynolds received 100 votes. The certificate is signed by four judges and two clerks.

In precinct 11 the candidates received votes as follows: James J. Butler received 58 votes; George D. Reynolds received 93 votes; Christ. Rucker received 2 votes; Henry H. Artz received 2 votes; William Billsbarrow received 1 vote. The certificate is signed by four judges and two clerks.

In precinct 12 the candidates received votes as follows: George D. Reynolds received 86 votes; James J. Butler received 53 votes; H. H. Artz received 3 votes. The certificate is signed by four judges and two clerks.

In precinct 13 the candidates received votes as follows: James J. Butler received 58 votes; George D. Reynolds received 139 votes. The certificate is signed by four judges and two clerks.

The thirteen precincts above set forth comprise the entire Twenty-fifth Ward.

I now adjourn the further taking of these depositions until to-morrow, February 7, 1903, at the hour of 10 o'clock.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding this 7th day of February, 1903, at the hour of 10 o'clock.

Present, Messrs. William M. Kinsey and Charles W. Holtcamp for contestant; no appearance for contestee.

Q. (By Mr. KINSEY.) Will you now produce the poll books used in precincts 2, 3, and 4 of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., and read from each set of books, in consecutive order, the number, name, and address of each voter recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last name in each book, using first the book for precinct 2, and next the book for precinct 3, and last the books for precinct 4?—A. We will.

POLL BOOK, PRECINCT 2, FIFTEENTH WARD.

Number.	Name.	Address.
1.....	Henry Waether.....	1247 Wash street.
2.....	Max Weiss.....	1102 Carr street.
3.....	J. W. Fink.....	1005 North High street.
4.....	David Weintraub.....	1020 North High street.
5.....	Frank Berg.....	1007 North Eleventh street.
6.....	Patrick Coughlin.....	1248 Carr street.
7.....	Samuel Liberman.....	1027 North Eleventh street.
8.....	Michael W. Palmer.....	1014 North Thirteenth street.
9.....	Andrew J. Greener.....	1104 Carr street.
10.....	C. H. Lumstroth.....	1012 North Thirteenth street.
11.....	Barney Berg.....	1007 North Eleventh street.
12.....	John Burkhart.....	1003 Wash street.
13.....	Martin Schwimmer.....	1009 North Eleventh street.
14.....	John F. Eckhart.....	1008 North Thirteenth street.
15.....	Simon D. Jordan.....	1248 Carr street.
16.....	T. W. Lane.....	1107 Wash street.
17.....	John B. Dovan or John B. Donovan.....	1003 North High street.
18.....	Michael Fordan.....	1248 Carr street.
19.....	H. O. Carroll.....	1205 Wash street.
20.....	John Eckert.....	1008 North Thirteenth street.
21.....	Louis V. Schneider.....	1008 North High street.
22.....	O. H. Schrader.....	1015½ North High street.
23.....	F. W. Schrader.....	1015½ North High street.
24.....	Chas. A. Eckert.....	1013 North street.
25.....	John H. Finley.....	1003 North High street.
26.....	Frederick Fisher.....	1023 North High street.
27.....	John Ernest.....	1018 North Thirteenth street.
28.....	Joseph Bermark.....	1008 North Thirteenth street.
29.....	J. S. Hassebrook.....	1002 North High street.
30.....	G. Graf.....	1002 North High street.
31.....	James Quigley.....	1106 Carr street.
32.....	Gus. Besand.....	1016 High street.
33.....	Joe Meyer.....	1106 Carr street.
34.....	Conrad Lang.....	1214 Carr street.
35.....	Ed. Meyer.....	1218 Carr street.
36.....	A. Martin.....	1242 Carr street.
37.....	I. J. Lowenstein.....	1019 North Twelfth street.
38.....	William F. Pilgrim.....	1023 North High street.
39.....	Edward McDowell.....	1105 Wash street.
40.....	Gus. H. Rehege.....	1101 Wash street.
41.....	Otto H. Gordon.....	1020 North Thirteenth street.
42.....	Henry Feldman.....	1008 North Thirteenth street.
43.....	Adolph Justin.....	1025 North High street.
44.....	Jacob Abel.....	1016 North High street.
45.....	Robert Carroll.....	1205 Wash street.
46.....	Geo. Davis.....	1242 Carr street.
47.....	Patrick Ricks.....	1015 North Eleventh street.
48.....	Wm. J. Fisher.....	1023 North High street.
49.....	Louis Valle.....	1007 North Twelfth street.
50.....	Samuel Moore.....	1003 North Twelfth street.
51.....	James Gannon.....	1002 North Thirteenth street.
52.....	John Faunter.....	1026 North High street.
53.....	William Faunter.....	1026 North High street.
54.....	John L. Hertel.....	1028 North High street.
55.....	John Berkowitz.....	1012 North High street.
56.....	August Kappelman.....	1003 North High street.
57.....	John Sharkey.....	1109 Wash street.
58.....	Michael O'Brien.....	1247 Wash street.
59.....	Geo. Ruhl.....	1023 North High street.
60.....	Peter Flaharty.....	1218 Carr street.
61.....	P. Dooley.....	1248 Carr street.
62.....	Lee Washington.....	1242 Carr street.
63.....	Geo. Williams.....	1242 Carr street.
64.....	John Stanley.....	1218 Carr street.
65.....	Joseph O. Heinboch.....	1101 Carr street.
66.....	William Huff.....	1011 North High street.
67.....	Seward McKenzie.....	1002 North Twelfth street.

POLL BOOK, PRECINCT 2, FIFTEENTH WARD—Continued.

Number.	Name.	Address.
68.	Gus McDowell	1003 North Twelfth street.
69.	Geo. G. Scheffering	1005 North High street.
70.	Israel Miller	1248 Carr street.
71.	Joseph Hoffman	1216 Carr street.
72.	Charles Zimmer	1020 North Thirteenth street.
73.	Robert Carroll	1009 North Twelfth street.
74.	John Spuck	1011 North Eleventh street.
75.	Benjamin Bonford	1006 North Twelfth street.
76.	Morris Hollender	1029 North High street.
77.	James P. Watkins	1211 Wash street.
78.	Tom Hurley	1243 Wash street.
79.	Henry Heckert	1006 North Thirteenth street.
80.	Oscar Blitschan	1016 North High street.
81.	John Hurley	1243 Wash street.
82.	William J. Hagedorn	1000 North Thirteenth street.
83.	Charles Malovsky	1006 North Twelfth street.
84.	Patrick O'Hare	1104 Carr street.
85.	J. J. Greener	1104 Carr street.
86.	Silas Farrar	1025 North Twelfth street.
87.	Matt Dahm	1016 North Thirteenth street.
88.	A. F. Kauffman	1002 North High street.
89.	James McDowell	1105 Wash street.
90.	Joseph O'Keefe	1012 North Thirteenth street.
91.	Albert P. Palmer	1014 North Thirteenth street.
92.	Gus Young	1006 North Thirteenth street.
93.	G. H. Martin	1007 North High street.
94.	George C. Albrecht	1012 North High street.
95.	Henry Greunkemeier	1012 North Thirteenth street.
96.	Edward A. Fanter	1026 North High street.

PRECINCT 3, FIFTEENTH WARD.

1.	Solomon Wertheimer	1120 North Fourteenth street.
2.	John Noonan	1229 North Thirteenth street.
3.	Henry H. Fisher	1024 North Fourteenth street.
4.	Samuel Feldman	1321 Carr street.
5.	Benjamin Pearl	1131 North Thirteenth street.
6.	Isaac Haber	1321 Carr street.
7.	Charles H. Menghaus, jr	1225 North Thirteenth street.
8.	Joe Goldman	1012 North Fourteenth street.
9.	William H. Burton	1316 Biddle street.
10.	Sam. Kaplan	1123 North Thirteenth street.
11.	Henry Brischer	1109½ North Fifteenth street.
12.	Ed. L. Venghaus	1225 North Thirteenth street.
13.	Boris Eisenberg	1307 Carr street.
14.	Henry Penney	1319 Carr.
15.	C. A. Campbell	1135 North Thirteenth street.
16.	Thomas J. Givens	1321 Biddle street.
17.	Joseph H. Lynch	1114 North Fourteenth street.
18.	Louis Levinson	1321½ Carr street.
19.	Louis Kindermann	1015 North Thirteenth street.
20.	Robert Hager	1113 North Thirteenth street.
21.	Anton Wind	1026 North Fourteenth street.
22.	Harris Greengard	1316 Biddle street.
23.	C. W. Branson	1314 Biddle street.
24.	Charles E. Branson	Do.
25.	David Berman	1123 North Thirteenth street.
26.	Emil J. Hoehn	1314 Biddle street.
27.	Geo. Deil	1314 Biddle; other book, 1316 Biddle.
28.	Emil Deil	1316 Biddle street.
29.	Edward F. Bredehoeft	1008 North Fourteenth street.
30.	John F. Bredehoeft	Do.
31.	Thomas W. Miller	1219 North Thirteenth street.
32.	James Klie	Do.
33.	Albert Schacht, jr	1309 Carr street.
34.	Eugene Schacht	Do.
35.	George W. Fitzpatrick	1306 Biddle street.
36.	William J. Kreckler	1120 North Fourteenth street.
37.	C. F. Bauer	1327 Carr street.
38.	Albert H. Miller	1131 North Thirteenth street.
39.	John Tighe	1226 North Fourteenth street.
40.	Harry Overbeck	1219 North Thirteenth street.
41.	Frank Kohler	1215 North Thirteenth street.
42.	H. E. Markwort	1314 Carr street.
43.	Sam Papper	1316 Carr street.
44.	Thos. F. Poag	1135 North Thirteenth street.
45.	Michael Harty	1122 North Fourteenth street.
46.	Christ. Deil	1316 Biddle street.
47.	G. F. Hager	1113 North Thirteenth street.

PRECINCT 3, FIFTEENTH WARD—Continued.

Number.	Name.	Address.
48.....	William Jensen	1026 North Fourteenth street.
49.....	Isaac Stillman	1223 North Thirteenth street.
50.....	Theodore Herzog	1311 Carr street.
51.....	David H. Schulte	1217 North Thirteenth street.
52.....	Michael Castrignano	1109½ North Thirteenth street.
53.....	Jacob Perlmutter	1305 Carr street.
54.....	Fred. Ottersmeyer	1329 Carr street.
55.....	Terance Wood	1101 North Thirteenth street.
56.....	Cornelius F. Bauer	1327 Carr street.
57.....	John A. Faulhaber	1307 Biddle street.
58.....	M. E. Kane	1328 Biddle street.
59.....	John P. Burns	1230 North Fourteenth street.
60.....	James Gates	1210 North Fourteenth street.
61.....	Joseph F. Wich	1325 Carr street.
62.....	John M. O'Connell	1118 North Fourteenth street.
63.....	William H. Creed	1303 Carr street.
64.....	Sam. Clark	1313 Carr street.
65.....	William Fellerman	1331 Wash street.
66.....	William Schultz	1221 North Thirteenth street.
67.....	Louis Stahl	1330 Biddle street.
68.....	Joseph Dedrichs	1234 North Fourteenth street.
69.....	John L. Kohler	1151 North Thirteenth street.
70.....	David Stegman	1329 Wash street.
71.....	Gustave F. Deil	1316 Biddle street.
72.....	J. F. McDaniels	1206 North Fourteenth street.
73.....	Robert M. Stewart	1317 Wash street.
74.....	Thomas Poag	1135 North Thirteenth street.
75.....	Benjamin Vogelsang	1327 Carr street.
76.....	Joseph Cullinane	1224 North Fourteenth street.
77.....	Dennis J. O'Connell	1118 North Fourteenth street.
78.....	Isaac Dolliber	1015 North Fifteenth street.
79.....	John F. Klein	Do.
80.....	James Cullinane	1224 North Fourteenth street.
81.....	Isreal Fleishman	1318 Carr street.
82.....	Phillip Slattery	1308 Biddle street.
83.....	James Banahan	1114 North Fourteenth street.
84.....	C. C. Panches	1221 North Thirteenth street.
85.....	Thomas F. McCartney	1327 Wash street.
86.....	Joseph Fitzhenry	1306 Biddle street.
87.....	Ben Miles	1321 Biddle street.
88.....	John Colonins	1205 North Thirteenth street.
89.....	Joseph Mahin	1220 North Fourteenth street.
90.....	August Seenwald	1022 North Fourteenth street.
91.....	Aby Rosenstein	1010 North Fourteenth street.
92.....	Fred. Schulte	1308 Biddle street.
93.....	John Fitzgerald	Do.
94.....	Louis Fishman	1103 North Thirteenth street.
95.....	George S. Robison	1227 North Thirteenth street.
96.....	James Rigney	1311 Carr street.
97.....	Charles E. Zumwald	1122 North Fourteenth street.
98.....	Leon B. Goll	1008 North Fourteenth street.
99.....	Henry J. Jensen	1026 North Fourteenth street.
100.....	Phil. Conlon	1314 Biddle street.
101.....	Joseph Blunck	1022 North Fourteenth street.
102.....	Max Weinstein	1017 North Thirteenth street.
103.....	A. C. Schacht	1309A Carr street.
104.....	Edward Kalthoff	1314 Biddle street.
105.....	Albert Wagner	1015 North Thirteenth street.
106.....	H. Manne	Do.
107.....	James D. Earl	1212 North Fourteenth street.
108.....	Charles Smith	1317 Carr street.
109.....	William A. Walthers	1225 North Thirteenth street.
110.....	William Wiber	1206 North Fourteenth street.
111.....	Lem Wilson	1006 North Fourteenth street.
112.....	Emanuel Kennedy	1306 Biddle street.

I now adjourn the further taking of testimony in this cause until the hour of 10 o'clock of Monday, the 9th day of February, 1903.

Pursuant to adjournment, I resumed the taking of testimony in this cause on the 9th day of February, 1903, at the hour of 10 o'clock.

(Witness continuing in answer to last question.)

PRECINCT 4 OF THE FIFTEENTH WARD.

No.	Name.	Address.
1	Joseph Vazis	1010 North Sixteenth street.
2	Joseph P. Coleman	1502 Biddle street.
3	Victor Goldstein	1012 North Sixteenth street.
4	Dan Steuber	1515 Carr street.
5	George O'Reilly	1020 Atchison place.
6	George E. Allison	1531 Carr street.
7	Henry Klegert	1411 Carr street.
8	George Meers	1121 North Fifteenth street.
9	H. R. Valentine	1411 Carr street.
10	Theodore Ruenheck	1127 North Sixteenth street.
11	L. W. Deibel	1114 North Sixteenth street.
12	L. L. Steele	1519 Carr street.
13	Casper Kralemann	1515 Carr street.
14	James Pearce	1509 Carr street.
15	George B. Barnes	1426 Biddle street.
16	George Farenhopf	1004 North Sixteenth street.
17	Robert L. McMillan	1114 North Sixteenth street.
18	S. R. Strupel	1035 Selby place.
19	Harry Heper	1517 Carr street.
20	Gustave Keifer	1035 Selby place.
21	Joseph L. Morrissey	1419 Carr street.
22	Henry Bunselmeyer	1121 North Fifteenth street.
23	S. S. Hunt	1518 Biddle street.
24	William Hartmann	1434 Biddle street.
25	Otto Pries	1007 Selby place.
26	John Sullivan	1031 Selby place.
27	Antony Jutz	1529 Carr street.
28	Ed. Moeller	1400 Carr street.
29	Adam Burkel	1411 Wash street.
30	Louis Goldstein	1012 North Sixteenth street.
31	Louis Schwartz	1525 Carr street.
32	H. W. Heurman	1414 Carr street.
33	A. T. Teason	1411 Wash street.
34	Charles J. May	1414 Biddle street.
35	Charles F. Bartlett	1019 Selby street.
36	H. W. Robertson	1129 North Fifteenth street.
37	E. H. Richter	1400 Biddle street.
38	George F. Siemers	1017 North Fourteenth street.
39	Arthur Miley	1411 Wash street.
40	August Heper	1517 Carr street.
41	John F. Burnsides	Do.
42	Bernard Hauga	1008 North Sixteenth street.
43	John O'Donnell	1111 North Fifteenth street.
44	F. W. Maune	1025 Selby place.
45	William Merewith	1502 Biddle street.
46	Archie Fenten	1400 Biddle street.
47	J. T. Mooney	1523 Carr street.
48	Charles E. Fay	1031 Selby place.
49	Tony Toranelli	1420½ Biddle street.
50	Otto F. Boellner	1028 North Sixteenth street.
51	H. A. Halbigorst	1423 Carr street.
52	John G. Lutkewitte	1516 Biddle street.
53	George J. Lutkewitte	Do.
54	Henry Goldstein	1012 North Sixteenth street.
55	J. W. Neal	1120 North Fifteenth street.
56	F. W. Heuschen	1423 Carr street.
57	Max Knoch	1015 Selby place.
58	August Lemke	1021 North Fourteenth street.
59	John F. Klick	1109 North Fourteenth street.
60	Frederick Klick	Do.
61	Harry E. Fields	1401 Wash street.
62	Antonio Parina	1413 Wash street.
63	Morris Ellman	1519 Carr street.
64	J. M. McMillan	1119 North Fifteenth street.
65	John P. Welhoelter	1026 North Sixteenth street.
66	Peter Nauman	1018 North Sixteenth street.
67	Erasmus Allison	1531 Carr street.
68	T. W. Temme	1421 Carr street.
69	P. J. Herrington	1418 Biddle street.
70	Hugh Cassidy	1512 Carr street.
71	J. W. Toel	1005 Selby place.
72	Robert Borghorf	1412 Biddle street.
73	Fred Nachschom	1413 Carr street.
74	Louis J. Knoch	1015 Selby place.
75	Emil Ross	1006 North Sixteenth street.
76	Michael J. Flabaya	1118 North Fifteenth street.
77	Jacob Membelsohn	1530 Biddle street.

PRECINCT 4 OF THE FIFTEENTH WARD—Continued.

No.	Name.	Address.
78.....	Frederick Moeller.....	1020 Atchison place.
79.....	Charles Engel.....	1014 Atchison place.
80.....	Julius Berger.....	1413 Carr street.
81.....	Peter Davis.....	1117 North Fourteenth street.
82.....	P. J. Luby.....	1424 Biddle street.
83.....	John F. Lemke.....	1021 North Fourteenth street.
84.....	Henry Karre.....	1515 Carr street.
85.....	John F. Abbey.....	1410 Biddle street.
86.....	A. Pries.....	1031 Selby place.
87.....	Joseph Eisenman.....	1501 Wash street.
88.....	E. H. Manne.....	1025 Selby place.
89.....	Fred W. Kissel.....	1510 Biddle street.
90.....	Marcus Rosenblum.....	1018 North Sixteenth street.
91.....	John O'Brien.....	1428 Biddle street.
92.....	Ed. H. Goldberg.....	1007 North Fourteenth street.
93.....	Otto Seitz.....	1119 North Fifteenth street.
94.....	Fred W. Rabe.....	1409 Carr street.
95.....	Henry Schubert.....	1415 Wash street.
96.....	William H. Heper.....	1517 Carr street.
97.....	A. Bukowski.....	1518 Biddle street.
98.....	Frank Koring.....	1013 North Fourteenth street.
99.....	Michael Dawidoff.....	1003½ North Fourteenth street.
100.....	F. W. Habighorst.....	1423 Carr street.
101.....	Ben Olchwanger.....	1018 North Sixteenth street.
102.....	Joseph T. O'Brien.....	1023 Selby place.
103.....	Elmer Schull.....	1533 Carr street.
104.....	W. F. Cunningham.....	1415 Wash street.
105.....	Henry Heitman, jr.....	1411 Carr street.
106.....	Henry Heitman.....	Do.
107.....	Morris Latlin.....	1014 North Sixteenth street.
108.....	August C. Basee.....	1025 Selby place.
109.....	A. K. Brettelle.....	1003A Selby place.
110.....	Martin T. Gorman.....	1510½ Biddle street.
111.....	Theo. Heuerman.....	1406 Carr street.
112.....	William G. Hartman.....	1434 Biddle street.
113.....	Morris Pinkus.....	1436 Biddle street.
114.....	Barnard Stock.....	1511 Carr street.
115.....	John Walsh.....	1122 North Sixteenth street.
116.....	Morris L. Weindell.....	1112½ North Sixteenth street.
117.....	Herman Ketcher.....	1413 Wash street.
118.....	Anton Behr.....	1019 North Fourteenth street.
119.....	Henry G. Pottoff.....	1510½ Biddle street.
120.....	William Tieman.....	1526 Biddle street.
121.....	Henry Simeox.....	1428 Biddle street.
122.....	Pat Tnohey.....	1414 Biddle street.
123.....	William Stockman.....	1411 Carr street.
124.....	Peter Arata.....	1528 Biddle street.
125.....	Sam Schulty.....	1013 Selby place.
126.....	W. H. Henchen.....	1423 Carr street.
127.....	Tim Carroll.....	1504 Biddle street.
128.....	Charles Golden.....	1518 Biddle street.
129.....	Tom Broderiek.....	Do.
130.....	Joseph B. O'Neill.....	1504 Biddle street.
131.....	Max Chait.....	1129 North Fifteenth street.
132.....	Joseph J. Davis.....	1117 North Fourteenth street.
133.....	John D. Coleman.....	1508 Biddle street.
134.....	Green Hindman.....	1112 North Sixteenth street.
135.....	Charles Marugg.....	1113 North Fifteenth street.
136.....	Henry Morgenan.....	1411 Carr street.
137.....	Mike Brennan.....	1416 Biddle street.
138.....	M. H. Horowitz.....	1012 Atchison place.
139.....	David Chait.....	1129 North Fifteenth street.
140.....	James Haggerty.....	1116 North Sixteenth street.
141.....	H. E. Spilker.....	1031 Selby place.
142.....	Adam Krubel.....	1400 Biddle street.
143.....	James Haggerty, jr.....	1116 North Sixteenth street.
144.....	Frank Hake.....	1415 Carr street.
145.....	George Wild.....	1119 North Fourteenth street.
146.....	George Gerichs.....	1424 Biddle street.
147.....	Alex. W. Snyder.....	1409 Carr street.
148.....	Jack Carroll.....	1504 Biddle street.
149.....	Charles May.....	1414 Biddle street.
150.....	Walter R. Jack.....	1408 Biddle street.
151.....	Charles Bergman.....	1005 North Fourteenth street.
152.....	Ed. Rudloff.....	1410 Biddle street.
153.....	Pat Cassidy.....	1512 Carr street.
154.....	Jones Milstein.....	1422 Biddle street.
155.....	Ben Gordon.....	1536 Biddle street.
156.....	George H. Young.....	1003 Selby place.
157.....	Bernard J. Sutter.....	1410 Biddle street.
158.....	Mike Fennell.....	1504 Biddle street.
159.....	William F. Mason.....	1117 North Fourteenth street.
160.....	Dan McCarthy.....	1426 Biddle street.

PRECINCT 4 OF THE FIFTEENTH WARD—Continued.

No.	Name.	Address.
161.....	G. A. Pottoff.....	1514 Biddle street.
162.....	Martin Mack.....	1404 Biddle street.
163.....	Joseph Scannell.....	1518 Biddle street.
164.....	James Cassidy.....	1512 Carr street.
165.....	John W. Klick.....	1109 North Fourteenth street.
166.....	Ernest Selk.....	1504 Carr street.
167.....	William E. Fitzgerald.....	1518 Biddle street.
168.....	Patrick Touhill.....	141 Biddle street.

I now adjourn the further taking of testimony in this cause until the hour of 2 o'clock of this 9th day of February, 1903.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding this 9th day of February, 1903, at the hour of 2 o'clock p. m.

Present: William M. Kinsey, esq., for contestant; no appearance for contestee.

JOHN ELLSPERMANN, continuing his testimony heretofore given, deposeth and saith:

Q. Will you now produce, open, and count the ballots cast in the seventh precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress of the United States (for the long term)?—A. I will.

No. of ballot.	Initials.	For whom voted.	No. of ballot.	Initials.	For whom voted.
16.....	2	Reynolds.	22.....	2	Reynolds.
318.....	2	Reynolds.	37.....	2	Reynolds.
90.....	2	Nobody.	44.....	1	Reynolds.
50.....	None.	Nobody.	91.....	1	Reynolds.
No number.....	2	Butler.	36.....	2	Reynolds.
380.....	2	Nobody.	76.....	2	Reynolds.
101.....	2	Butler.	371.....	2	Reynolds.
39.....	2	Butler.	119.....	2	Reynolds.
262.....	2	Butler.	8.....	None.	Reynolds.
99.....	2	Butler.	4.....	2	Reynolds.
34.....	2	Reynolds.	10.....	2	Reynolds.
247.....	2	Butler.	1.....	None.	Reynolds.
3.....	2	Butler.	29.....	1	Reynolds.
40.....	2	Butler.	417.....	None.	Reynolds.
9.....	2	Reynolds.	74.....	2	Reynolds.
12.....	2	Reynolds.	49.....	1	Reynolds.
33.....	2	Reynolds.	251.....	2	Reynolds.
335.....	2	Butler.	104.....	2	Reynolds.
96.....	2	Reynolds.	381.....	2	Reynolds.
320.....	2	Butler.	102.....	1	Reynolds.
253.....	2	Butler.	21.....	2	Butler.
405.....	2	Butler.	20.....	2	Nobody.
408.....	2	Butler.	313.....	2	Reynolds.
109.....	2	Butler.	None.....	2	Nobody.
191.....	2	Butler.	48.....	1	Reynolds.
254.....	2	Butler.	23.....	2	Reynolds.
322.....	2	Butler.	92.....	2	Butler.
17.....	2	Reynolds.	378.....	2	Reynolds.
344.....	2	Butler.	61.....	2	Reynolds.
162.....	2	Butler.	13.....	2	Reynolds.
221.....	2	Butler.	346.....	2	Butler.
180.....	2	Butler.	31.....	2	Reynolds.
332.....	2	Butler.	105.....	2	Reynolds.
249.....	2	Butler.	19.....	2	Butler.
315.....	2	Butler.	30.....	2	Nobody.
329.....	2	Butler.	323.....	2	Butler.
55.....	2	Butler.	289.....	2	Butler.
86.....	2	Butler.	290.....	2	Butler.
38.....	2	Butler.	237.....	2	Butler.
124.....	2	Butler.	7.....	2	Nobody.
115.....	2	Butler.	98.....	1	Reynolds.
348.....	2	Butler.	297.....	2	Butler.
367.....	2	Butler.	291.....	2	Butler.
245.....	2	Butler.	233.....	2	Butler.
236.....	2	Butler.	410.....	2	Butler.
264.....	2	Butler.	368.....	2	Butler.
132.....	2	Butler.	308.....	2	Butler.
111.....	2	Butler.	282.....	2	Butler.
94.....	1	Reynolds.	414.....	2	Butler.

No. of ballot.	Initials.	For whom voted.	No. of ballot.	Initials.	For whom voted.
349	2	Butler.	231	2	Butler.
296	2	Butler.	68	2	Butler.
352	2	Butler.	195	2	Butler.
No number	None.	Reynolds.	225	2	Butler.
328	2	Butler.	396	2	Butler.
412	2	Butler.	227	2	Butler.
214	2	Butler.	389	2	Butler.
234	2	Butler.	218	2	Butler.
139	2	Butler.	240	2	Butler.
382	2	Butler.	155	2	Butler.
287	2	Butler.	360	2	Butler.
415	2	Butler.	199	2	Butler.
252	2	Butler.	228	2	Butler.
148	2	Butler.	334	2	Butler.
376	2	Reynolds.	326	2	Butler.
45	2	Butler.	359	2	Butler.
258	2	Butler.	222	2	Butler.
304	2	Butler.	373	2	Butler.
301	2	Butler.	235	2	Butler.
311	2	Butler.	383	2	Butler.
314	2	Butler.	366	2	Butler.
321	2	Butler.	411	2	Butler.
338	2	Butler.	176	2	Butler.
246	2	Butler.	181	2	Butler.
343	2	Butler.	182	2	Butler.
350	2	Butler.	403	2	Butler.
283	2	Butler.	384	2	Butler.
413	2	Butler.	325	2	Butler.
358	2	Butler.	306	2	Butler.
335	2	Butler.	298	2	Butler.
280	2	Butler.	385	2	Butler.
2	2	Artz.	153	2	Butler.
342	2	Butler.	211	2	Butler.
241	2	Butler.	156	2	Butler.
341	2	Butler.	200	2	Butler.
303	2	Butler.	198	2	Butler.
330	2	Butler.	89	2	Butler.
331	2	Butler.	353	2	Butler.
340	2	Butler.	85	2	Butler.
299	2	Butler.	42	2	Butler.
345	2	Butler.	216	2	Butler.
270	2	Butler.	190	2	Butler.
356	2	Butler.	285	2	Butler.
379	2	Butler.	203	2	Butler.
288	2	Butler.	43	2	Reynolds.
399	None.	Butler.	53	2	Butler.
189	2	Butler.	327	2	Butler.
255	2	Butler.	224	2	Butler.
286	2	Butler.	120	2	Butler.
259	2	Butler.	110	2	Butler.
261	2	Butler.	31	2	Butler.
300	2	Butler.	184	2	Butler.
307	2	Butler.	324	2	Butler.
404	2	Butler.	257	2	Butler.
209	2	Butler.	339	2	Butler.
174	2	Butler.	357	2	Butler.
220	2	Butler.	210	2	Butler.
276	2	Butler.	400	2	Butler.
229	2	Butler.	391	2	Butler.
365	2	Butler.	370	2	Butler.
361	2	Butler.	128	2	Butler.
107	2	Butler.	140	2	Butler.
136	2	Butler.	122	2	Butler.
377	2	Butler.	212	2	Butler.
242	2	Butler.	265	2	Butler.
309	2	Butler.	275	2	Butler.
293	2	Butler.	69	2	Butler.
188	2	Butler.	77	2	Butler.
46	2	Butler.	294	2	Butler.
60	2	Wagoner.	250	2	Butler.
157	2	Butler.	167	2	Butler.
173	2	Butler.	401	2	Butler.
266	2	Butler.	201	2	Butler.
225	2	Butler.	63	2	Butler.
406	2	Butler.	160	2	Butler.
363	2	Butler.	407	2	Butler.
354	2	Butler.	65	2	Butler.
347	2	Butler.	11	2	Butler.
310	2	Butler.	72	2	Butler.
397	2	Butler.	30	2	Butler.
267	2	Butler.	88	2	Butler.
171	2	Butler.	219	2	Butler.
193	2	Butler.	59	2	Butler.
133	2	Butler.	187	2	Butler.
394	2	Butler.	64	2	Butler.

No. of ballot.	Initials.	For whom voted.	No. of ballot.	Initials.	For whom voted.
79	2	Butler.	83	2	Butler.
58	2	Butler.	369	2	Butler.
263	2	Butler.	232	2	Butler.
62	2	Butler.	409	2	Butler.
129	2	Butler.	27	2	Butler.
208	2	Butler.	151	2	Butler.
239	2	Butler.	142	2	Butler.
305	2	Butler.	24 or 43	2	Butler.
14	2	Butler.	41	2	Butler.
146	2	Butler.	129	2	Butler.
277	2	Butler.	387	2	Butler.
172	2	Butler.	161	2	Butler.
395	2	Butler.	52	2	Butler.
194	2	Butler.	273	2	Butler.
117	2	Butler.	121	2	Butler.
144	2	Butler.	179	2	Butler.
125	2	Butler.	168	2	Butler.
279	2	Butler.	158	2	Butler.
97	2	Butler.	116	2	Butler.
152	2	Butler.	178	2	Butler.
206	2	Butler.	15	2	Nobody.
127	2	Butler.	392	2	Butler.
87	2	Butler.	386	2	Butler.
207	2	Butler.	316	2	Butler.
118	2	Butler.	268	2	Butler.
141	2	Butler.	362	2	Butler.
213	2	Butler.	284	2	Butler.
9	2	Butler.	256	2	Butler.
281	2	Butler.	260	2	Butler.
165	2	Butler.	312	2	Butler.
82	2	Butler.	269	2	Butler.
197	2	Butler.	147	2	Butler.
66	2	Butler.	272	2	Butler.
80	2	Butler.	372	2	Butler.
75	2	Butler.	166	2	Butler.
71	2	Butler.	295	2	Butler.
177	2	Butler.	336	2	Butler.
67	2	Butler.	143	2	Butler.
364	2	Butler.	56	2	Butler.
84	2	Butler.	126	2	Butler.
170	2	Butler.	274	2	Butler.
318	2	Butler.	205	2	Butler.
316	2	Butler.	73	2	Butler.
337	2	Butler.	145	2	Butler.
238	2	Butler.	243	2	Butler.
123	2	Butler.	28	2	Reynolds.
26	2	Butler.	150	2	Butler.
148	2	Butler.	271	2	Butler.
244	2	Butler.	154	2	Butler.
333	2	Butler.	134	2	Butler.
292	2	Butler.	137	2	Butler.
48	2	Butler.	390	2	Butler.
183	2	Butler.	5	2	Butler.
375	2	Butler.	114	2	Butler.
402	2	Butler.	138	2	Butler.
159	2	Butler.	398	2	Butler.
223	2	Butler.	25	2	Butler.
217	2	Butler.	374	2	Butler.
93	2	Butler.	302	2	Butler.
248	2	Butler.	175	2	Butler.
135	2	Butler.	169	2	Butler.
388	2	Butler.	32	2	Reynolds.
113	2	Butler.	196	2	Butler.
106	2	Butler.	Upper half of ballot missing.		
100	2	Butler.	393	2	Butler.
112	2	Butler.	Upper half of ballot missing.		
95	2	Butler.	70	2	Butler.
185	2	Butler.	Upper half of ballot missing.		
81	2	Butler.	103	1	Reynolds.
196	2	Butler.	Upper half of ballot missing.		
108	2	Butler.	19	2	Butler.
54	2	Butler.	Upper half of ballot missing.		
57	2	Butler.			

Q. (By Mr. HOLTCAMP.) Have you examined all the ballots contained in that box?—A. Yes, sir.

Q. Will you now produce, open, and examine the ballots cast in the eighth precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress of the United States for the long term?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
9	2	Nobody.	141	2	Butler.
61	2	Nobody.	159	2	Butler.
29	2	Artz.	195	2	Butler.
7	2	Artz.	156	2	Butler.
28	2	Billsbarrow.	57	2	Butler.
167	2	Reynolds.	134	2	Butler.
12	2	Nobody.	63	2	Butler.
170	2	Nobody.	59	2	Reynolds.
17	2	Nobody.	23	2	Butler.
20	2	Butler.	2	2	Nobody.
166	2	Rocker.	149	2	Reynolds.
127	2	Roeker.	97	2	Butler.
104	2	Reynolds.	103	2	Butler.
102	2	Reynolds.	140	2	Nobody.
99	2	Reynolds.	108	2	Butler.
144	2	Reynolds.	44	2	Butler.
133	2	Reynolds.	1	2	Butler.
100	2	Reynolds.	31	2	Butler.
87	2	Reynolds.	146	2	Butler.
89	2	Reynolds.	26	2	Butler.
67	2	Reynolds.	6	2	Butler.
85	2	Reynolds.	45	2	Butler.
62	2	Reynolds.	115	2	Butler.
14	2	Reynolds.	143	2	Butler.
55	2	Reynolds.	40	2	Butler.
60	2	Reynolds.	5	2	Butler.
3	2	Reynolds.	25	2	Butler.
147	2	Reynolds.	164	2	Butler.
10	2	Reynolds.	155	2	Butler.
42	2	Reynolds.	158	2	Butler.
116	2	Reynolds.	131	2	Butler.
148	2	Reynolds.	169	2	Butler.
48	2	Reynolds.	91	2	Butler.
43	2	Reynolds.	130	2	Butler.
84	2	Reynolds.	66	2	Butler.
41	2	Nobody.	101	2	Butler.
154	2	Reynolds.	117	2	Butler.
157	2	Reynolds.	49	2	Butler.
105	2	Reynolds.	126	2	Butler.
110	2	Butler.	54	2	Butler.
132	2	Reynolds.	113	2	Butler.
50	2	Reynolds.	111	2	Butler.
51	2	Reynolds.	80	2	Butler.
36	2	Reynolds.	69	2	Butler.
52	2	Reynolds.	73	2	Butler.
53	2	Reynolds.	153	2	Butler.
38	2	Reynolds.	145	2	Butler.
70	2	Reynolds.	90	2	Butler.
30	2	Reynolds.	75	2	Butler.
118	2	Reynolds.	72	2	Butler.
122	2	Reynolds.	129	2	Butler.
165	2	Reynolds.	8	2	Butler.
107	2	Reynolds.	33	2	Butler.
46	2	Reynolds.	106	2	Butler.
21	2	Nobody.	96	2	Butler.
4	2	Reynolds.	35	2	Butler.
138	2	Reynolds.	11	2	Butler.
151	2	Reynolds.	64	2	Butler.
172	2	Reynolds.	109	2	Butler.
171	2	Reynolds.	137	2	Butler.
123	2	Reynolds.	120	2	Butler.
34	2	Reynolds.	19	2	Nobody
135	2	Reynolds.	173	2	Butler.
161	2	Reynolds.	125	2	Butler.
160	2	Reynolds.	128	2	Butler.
152	2	Reynolds.	168	2	Butler.
121	2	Reynolds.	124	2	Butler.
58	2	Reynolds.	92	2	Butler.
27	2	Reynolds.	94	2	Butler.
13	2	Reynolds.	86	2	Butler.
15	2	Reynolds.	78	2	Butler.
24	2	Reynolds.	142	2	Butler.
150	2	Reynolds.	74	2	Butler.
56	2	Reynolds.	71	2	Butler.
16	2	Reynolds.	163	2	Butler.
22	2	Reynolds.	93	2	Butler.
119	2	Nobody.	83	2	Butler.
18	2	Reynolds.	82	2	Butler.
47	2	Reynolds.	79	2	Butler.
112	2	Nobody.	81	2	Butler.
114	2	Reynolds.	88	2	Butler.
139	2	Butler.	77	2	Butler.
39	2	Butler.	76	2	Butler.
174	2	Butler.	37	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
68	2	Butler.	89	2	Butler.
65	2	Butler.	32	2	Butler.
136	2	Butler.	162	2	Butler.

Q. Have you counted and examined all the ballots contained in this box?—A. Yes, sir; I have.

I now adjourn the further taking of testimony in this proceeding until to-morrow morning, February 10, 1903, at the hour of 10 o'clock.

Pursuant to adjournment, I commenced the taking of testimony in this proceeding at the hour of 9 o'clock a. m. of this 10th day of February, 1903.

Present for contestant: J. Clarence Taussig; no appearance for contestee.

Q. (By Mr. TAUSSIG.) Will you now produce, open, and count the ballots cast in the third precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri, for the long term, giving the number of each ballot, the initials, and for whom voted?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
21	2	Butler.	150	2	Butler.
283	2	Butler.	153	2	Butler.
13	2	Butler.	154	2	Reynolds.
119	2	Butler.	141	2	Butler.
52	2	Butler.	271	2	Butler.
162	2	Butler.	133	2	Butler.
163	2	Butler.	152	2	Butler.
300	2	Butler.	275	2	Butler.
114	2	Butler.	10	2	Butler.
111	2	Butler.	220	2	Butler.
110	2	Butler.	72	2	Butler.
93	2	Butler.	261	2	Butler.
211	2	Butler.	191	2	Butler.
116	2	Butler.	227	2	Butler.
218	2	Butler.	202	2	Butler.
32	2	Butler.	246	2	Reynolds.
95	2	Reynolds.	210	2	Butler.
55	2	Butler.	200	2	Butler.
75	2	Butler.	170	2	Butler.
31	2	Butler.	156	2	Butler.
30	2	Butler.	160	2	Butler.
186	2	Butler.	177	2	Butler.
19	2	Butler.	177	2	Butler.
101	2	Butler.	158	2	Butler.
254	2	Butler.	192	2	Butler.
139	2	Butler.	121	2	Butler.
135	2	Butler.	193	2	Butler.
189	2	Butler.	164	2	Butler.
24	2	Butler.	187	2	Butler.
102	2	Reynolds.	190	2	Butler.
103	2	Butler.	232	2	Butler.
134	2	Butler.	238	2	Reynolds.
25	2	Butler.	199	2	Butler.
129	2	Butler.	None	2	Reynolds.
85	2	Nobody.	276	2	Reynolds.
319	2	Butler.	225	2	Reynolds.
131	2	Butler.	64	2	Reynolds.
255	2	Butler.	335	2	Butler.
194	2	Butler.	234	2	Reynolds.
146	2	Butler.	48	2	Reynolds.
189	2	Butler.	68	2	Reynolds.
82	2	Butler.	221	2	Butler.
9	2	Butler.	163	2	Butler.
204	2	Butler.	168	2	Reynolds.
115	2	Butler.	239	2	Reynolds.
127	2	Butler.	223	2	Reynolds.
120	2	Butler.	229	2	Reynolds.
222	2	Butler.	214	2	Rocker.
67	2	Reynolds.	230	2	Rocker.
196	2	Butler.	149	2	Rocker.
138	2	Butler.	279	2	Rocker.
215	2	Butler.	266	2	Rocker.
84	2	Butler.	248	2	Butler.
118	2	Butler.	144	2	Butler.
92	2	Butler.	175	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
174	2	Butler.	257	2	Reynolds.
83	2	Butler.	37	2	Reynolds.
151	2	Butler.	34	2	Reynolds.
237	2	Butler.	1	2	Reynolds.
145	2	Butler.	44	2	Reynolds.
173	2	Butler.	46	2	Reynolds.
28	2	Butler.	69	2	Reynolds.
216	2	Butler.	177	2	Reynolds.
207	2	Butler.	241	2	Reynolds.
138	2	Butler.	274	2	Reynolds.
284	2	Butler.	147	2	Reynolds.
136	2	Butler.	272	2	Reynolds.
142	2	Butler.	213	2	Reynolds.
72	2	Butler.	224	2	Reynolds.
126	2	Butler.	104	2	Reynolds.
123	2	Butler.	278	2	Butler.
99	2	Butler.	289	2	Butler.
125	2	Butler.	201	2	Butler.
233	2	Butler.	277	2	Butler.
183	2	Butler.	292	2	Butler.
155	2	Butler.	305	2	Butler.
143	2	Butler.	294	2	Butler.
124	2	Butler.	304	2	Butler.
45	2	Butler.	171	2	Butler.
53	2	Butler.	57	2	Butler.
205	2	Butler.	297	2	Butler.
206	2	Butler.	122	2	Reynolds.
17	2	Butler.	243	2	Reynolds.
50	2	Butler.	161	2	Reynolds.
19	2	Butler.	165	2	Reynolds.
128	2	Butler.	253	2	Reynolds.
98	2	Butler.	171	2	Reynolds.
182	2	Butler.	228	2	Reynolds.
106	2	Butler.	167	2	Reynolds.
54	2	Butler.	130	2	Reynolds.
23	2	Butler.	212	2	Reynolds.
14	2	Butler.	269	2	Reynolds.
296	2	Butler.	291	2	Reynolds.
218	2	Butler.	236	2	Reynolds.
364	2	Butler.	270	2	Reynolds.
263	2	Butler.	137	2	Reynolds.
247	2	Butler.	100	2	Reynolds.
188	2	Butler.	209	2	Reynolds.
244	2	Butler.	242	2	Reynolds.
90	2	Butler.	287	2	Reynolds.
262	2	Butler.	252	2	Reynolds.
7	2	Butler.	251	2	Reynolds.
293	2	Butler.	287	2	Reynolds.
299	2	Butler.	273	2	Reynolds.
290	2	Butler.	295	2	Reynolds.
259	2	Butler.	301	2	Reynolds.
285	2	Butler.	303	2	Reynolds.
282	2	Butler.	258	2	Reynolds.
280	2	Butler.	2	2	Reynolds.
285	2	Butler.	268	2	Reynolds.
25	2	Butler.	71	2	Butler.
217	2	Butler.	89	2	Butler.
250	2	Butler.	226	2	Butler.
73	2	Butler.	105	2	Butler.
281	2	Butler.	95	2	Butler.
27	2	Butler.	88	2	Butler.
249	2	Butler.	58	2	Butler.
16	2	Butler.	47	2	Butler.
265	2	Butler.	141	2	Butler.
245	2	Butler.	81	2	Butler.
298	2	Butler.	78	2	Butler.
61	2	Butler.	68	2	Butler.
340	2	Butler.	11	2	Butler.
203	2	Butler.	94	2	Butler.
66	2	Butler.	36	2	Butler.
208	2	Butler.	12	2	Butler.
148	2	Butler.	113	2	Butler.
63	2	Butler.	302	2	Butler.
91	2	Butler.	32	2	Butler.
18	2	Butler.	41	2	Butler.
49	2	Butler.	15	2	Butler.
42	2	Butler.	20	2	Butler.
4	2	Butler.	60	2	Butler.
3	2	Butler.	22	2	Butler.
29	2	Butler.	None	2	Butler.
188	2	Reynolds.	87	2	Butler.
40	2	Reynolds.	80	2	Butler.
159	2	Reynolds.	140	2	Butler.
76	2	Reynolds.	184	2	Butler.
157	2	Reynolds.	169	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
267	2	Butler.	132	2	Butler.
185	2	Butler.	62	2	Artz.
51	2	Butler.	187	2	Billsbarrow.
250	2	Butler.	172	2	Billsbarrow.
197	2	Butler.	108	2	Butler.
71	2	Butler.	97	2	Butler.
77	2	Butler.	122	2	Butler.
79	2	Butler.	117	2	Butler.
86	2	Butler.	107	2	Butler.
256	2	Butler.	70	2	Butler.
288	2	Artz.	231	2	Butler.

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. (By Mr. HOLTCAMP.) Will you now produce, open, and count the ballots cast in the ninth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative of Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
3	2	Reynolds.	29	2	Butler.
185	2	Butler.	177	2	Butler.
31	2	Nobody.	75	2	Butler.
70	2	Reynolds.	189	2	Butler.
26	2	Butler.	145	2	Butler.
36	2	Butler.	83	2	Butler.
198	2	Butler.	178	2	Butler.
None	2	Butler.	51	2	Butler.
208	2	Butler.	81	2	Butler.
42	2	Butler.	66	2	Butler.
85	2	Butler.	132	2	Butler.
84	2	Butler.	128	2	Butler.
104	2	Butler.	114	2	Butler.
203	2	Butler.	141	2	Butler.
199	2	Butler.	62	2	Reynolds.
41	2	Butler.	72	2	Reynolds.
127	2	Butler.	7	2	Reynolds.
14	2	Butler.	10	2	Reynolds.
37	2	Butler.	78	2	Reynolds.
12	2	Butler.	98	2	Reynolds.
23	2	Butler.	188	2	Reynolds.
157	2	Butler.	137	2	Reynolds.
34	2	Butler.	13	2	Reynolds.
117	2	Butler.	2	2	Reynolds.
183	2	Butler.	172	2	Reynolds.
60	2	Butler.	25	2	Reynolds.
223	2	Butler.	39	2	Reynolds.
119	2	Butler.	76	2	Reynolds.
182	2	Butler.	214	2	Reynolds.
139	2	Butler.	68	2	Reynolds.
92	2	Butler.	50	2	Reynolds.
219	2	Butler.	49	2	Reynolds.
107	2	Butler.	221	2	Reynolds.
213	2	Butler.	211	2	Reynolds.
152	2	Butler.	47	2	Reynolds.
196	2	Butler.	53	2	Reynolds.
73	2	Butler.	22	2	Reynolds.
148	2	Butler.	171	2	Reynolds.
187	2	Butler.	175	2	Reynolds.
190	2	Butler.	124	2	Reynolds.
164	2	Butler.	192	2	Reynolds.
116	2	Butler.	153	2	Reynolds.
218	2	Butler.	222	2	Reynolds.
106	2	Butler.	134	2	Reynolds.
8	2	Butler.	143	2	Reynolds.
108	2	Butler.	99	2	Butler.
110	2	Butler.	16	2	Reynolds.
200	2	Butler.	15	2	Reynolds.
205	2	Butler.	155	2	Reynolds.
35	2	Butler.	167	2	Reynolds.
113	2	Butler.	174	2	Butler.
90	2	Butler.	146	2	Reynolds.
82	2	Butler.	162	2	Reynolds.
45	2	Butler.	9	2	Reynolds.
21	2	Butler.	168	2	Reynolds.
100	2	Butler.	186	2	Reynolds.
74	2	Butler.	159	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
5	2	Butler.	173	2	Butler.
98	2	Butler.	130	2	Butler.
140	2	Reynolds.	122	2	Reynolds.
103	2	Reynolds.	129	1	Butler.
165	2	Butler.	135	2	Butler.
160	2	Wagoner.	142	2	Butler.
154	2	Reynolds.	156	2	Butler.
43	2	Reynolds.	115	2	Butler.
20	2	Reynolds.	86	2	Butler.
63	2	Butler.	179	2	Butler.
46	2	Reynolds.	133	2	Butler.
54	2	Reynolds.	65	2	Butler.
28	2	Butler.	131	2	Butler.
67	2	Reynolds.	52	2	Butler.
120	2	Reynolds.	19	2	Butler.
193	2	Butler.	None	1	Butler.
144	2	Butler.	212	2	Butler.
118	2	Butler.	210	2	Butler.
158	2	Butler.	61	2	Butler.
None	2	Butler.	38	2	Butler.
112	2	Butler.	202	2	Butler.
138	2	Reynolds.	194	2	Butler.
197	2	Butler.	209	2	Butler.
125	2	Butler.	33	2	Butler.
136	2	Butler.	79	2	Butler.
18	2	Butler.	220	2	Butler.
64	2	Butler.	None	2	Butler.
None	2	Butler.	34	2	Butler.
49	2	Butler.	91	2	Butler.
102	2	Butler.	69	2	Nobody.
166	2	Butler.	17	2	Butler.
40	2	Butler.	32	2	Butler.
169	2	Nobody.	59	2	Butler.
207	2	Butler.	88	2	Butler.
109	2	Butler.	24	2	Nobody.
95	2	Butler.	30	2	Butler.
87	2	Butler.	4	2	Butler.
93	1	Butler.	48	2	Butler.
97	2	Butler.	215	2	Butler.
111	2	Butler.	6	2	Artz.
126	2	Butler.	216	2	Artz.
176	2	Butler.	217	2	Artz.
180	2	Butler.	1	2	Artz.
181	2	Butler.	204	2	Nobody.
195	2	Butler.	71	2	Rocker.
161	2	Butler.	27	2	Nobody.
163	2	Butler.	149	2	Artz.
201	2	Butler.	206	2	Artz.
170	2	Butler.	105	2	Rocker.
121	2	Butler.			

Q. Have you examined all the ballots contained in that box?—A. I have.

I now adjourn the further taking of these depositions until the hour of 1 o'clock p. m., this 10th day of February, 1903.

Pursuant to adjournment I resumed the taking of testimony in this proceeding at the hour of 1 o'clock p. m. of 10th day of February, 1903.

Q. (By Mr. HOLTCAMP.) Will you now produce, open, and count the ballots cast in the seventh precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
178	2	Reynolds.	71	2	Reynolds.
99	2	Reynolds.	101	2	Reynolds.
17	2	Reynolds.	45	2	Reynolds.
223	2	Nobody.	69	2	Reynolds.
74	2	Reynolds.	98	2	Reynolds.
165	2	Reynolds.	48	2	Butler.
44	2	Reynolds.	9	2	Reynolds.
150	2	Reynolds.	176	2	Reynolds.
35	2	Reynolds.	213	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
85	2	Butler.	91	2	Reynolds.
88	2	Butler.	210	2	Nobody.
90	2	Butler.	26	2	Reynolds.
203	2	Butler.	8	2	Reynolds.
193	2	Butler.	146	2	Butler.
188	2	Butler.	37	2	Reynolds.
171	2	Nobody.	194	2	Reynolds.
102	2	Reynolds.	43	2	Reynolds.
50	2	Butler.	48	2	Reynolds.
2	2	Butler.	209	2	Reynolds.
109	2	Reynolds.	33	2	Reynolds.
81	2	Butler.	15	2	Reynolds.
123	2	Butler.	26	2	Reynolds.
51	2	Butler.	121	2	Reynolds.
218	2	Butler.	134	2	Reynolds.
198	2	Butler.	192	2	Reynolds.
201	2	Butler.	162	2	Reynolds.
59	2	Butler.	46	2	Reynolds.
141	2	Butler.	27	2	Reynolds.
111	2	Butler.	13	2	Reynolds.
143	2	Butler.	66	2	Reynolds.
77	2	Butler.	4	2	Reynolds.
185	2	Butler.	124	2	Reynolds.
118	2	Butler.	57	2	Reynolds.
107	2	Butler.	41	2	Reynolds.
157	2	Butler.	10	2	Reynolds.
189	2	Butler.	159	2	Reynolds.
199	2	Butler.	38	2	Reynolds.
65	2	Butler.	168	2	Reynolds.
108	2	Butler.	106	2	Reynolds.
136	2	Butler.	82	2	Reynolds.
73	2	Butler.	135	2	Reynolds.
169	2	Butler.	132	2	Reynolds.
205	2	Butler.	217	2	Reynolds.
219	2	Butler.	140	2	Reynolds.
204	2	Butler.	131	2	Reynolds.
148	2	Butler.	14	2	Reynolds.
179	2	Butler.	49	2	Reynolds.
128	2	Butler.	96	2	Reynolds.
54	2	Butler.	39	2	Reynolds.
173	2	Butler.	115	2	Reynolds.
19	2	Butler.	175	2	Reynolds.
113	2	Butler.	158	2	Reynolds.
56	2	Butler.	7	2	Reynolds.
12	2	Butler.	110	2	Reynolds.
47	2	Butler.	125	2	Reynolds.
202	2	Butler.	133	2	Reynolds.
92	2	Butler.	70	2	Reynolds.
20	2	Butler.	89	2	Reynolds.
64	2	Butler.	214	2	Reynolds.
122	2	Butler.	28	2	Reynolds.
174	2	Butler.	95	2	Reynolds.
131	2	Reynolds.	196	2	Butler.
11	2	Reynolds.	221	2	Butler.
148	2	Reynolds.	207	2	Butler.
1	2	Reynolds.	155	2	Butler.
119	2	Reynolds.	161	2	Butler.
67	2	Reynolds.	156	2	Butler.
87	2	Butler.	166	2	Butler.
68	2	Reynolds.	211	2	Butler.
93	2	Reynolds.	130	2	Butler.
147	2	Reynolds.	179	2	Butler.
6	2	Reynolds.	144	2	Butler.
116	2	Reynolds.	160	2	Butler.
117	2	Reynolds.	139	2	Butler.
138	2	Reynolds.	167	2	Butler.
103	2	Reynolds.	177	2	Butler.
58	2	Reynolds.	91	2	Butler.
40	2	Reynolds.	32	2	Butler.
183	2	Reynolds.	114	2	Butler.
72	2	Rocker.	5	2	Butler.
127	2	Reynolds.	83	2	Butler.
18	2	Reynolds.	154	2	Butler.
112	2	Reynolds.	220	2	Butler.
55	2	Reynolds.	215	2	Butler.
187	2	Nobody.	182	2	Butler.
164	2	Nobody.	63	2	Butler.
186	2	Nobody.	180	2	Butler.
200	2	Rocker.	42	2	Butler.
181	2	Rocker.	216	2	Butler.
52	2	Reynolds.	152	2	Butler.
208	2	Reynolds.	129	2	Butler.
190	2	Butler.	86	2	Butler.
31	2	Butler.	142	2	Butler.
163	2	Butler.	222	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
149	2	Butler.	61	2	Butler.
153	2	Butler.	34	2	Butler.
3	2	Butler.	29	2	Butler.
170	2	Butler.	97	2	Butler.
151	2	Butler.	53	2	Butler.
79	2	Butler.	16	2	Butler.
76	2	Butler.	100	2	Butler.
78	2	Butler.	195	2	Butler.
105	2	Butler.	206	2	Butler.
120	2	Butler.	212	2	Butler.
145	2	Butler.	25	2	Butler.
126	2	Butler.	None	2	Butler.
22	2	Butler.	41	2	Butler.
60	2	Butler.	104	2	Butler.
23	2	Butler.	24	2	Butler.
75	2	Butler.	2	2	Butler.
80	2	Butler.			

Q. Have you examined all the ballots in that box?—A. I have.

Q. (By Mr. HOLT CAMP.) Will you now produce, open, and count the ballots cast in the second precinct of the Fourteenth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri, for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
170	2	Nobody.	63	2	Butler.
142	2	Butler.	214	2	Butler.
27	2	Butler.	230	2	Butler.
173	2	Butler.	69	2	Butler.
165	2	Butler.	109	2	Butler.
231	2	Butler.	114	2	Butler.
202	2	Reynolds.	233	2	Butler.
208	2	Butler.	177	1	Butler.
181	2	Butler.	30	2	Butler.
182	2	Butler.	66	2	Butler.
190	2	Butler.	70	1	Butler.
176	2	Butler.	120	2	Butler.
221	2	Butler.	100	2	Butler.
164	1	Butler.	133	2	Butler.
183	2	Butler.	155	2	Butler.
175	2	Butler.	113	2	Butler.
212	1	Butler.	22	1	Butler.
193	2	Butler.	52	2	Butler.
180	2	Butler.	71	2	Butler.
213	2	Butler.	16	2	Butler.
149	1	Butler.	15	2	Butler.
64	2	Butler.	13	2	Butler.
24	2	Butler.	72	2	Butler.
28	2	Butler.	146	1	Butler.
122	2	Butler.	157	2	Butler.
25	2	Butler.	85	1	Butler.
14	2	Butler.	80	2	Butler.
121	2	Butler.	103	1	Butler.
98	2	Butler.	95	2	Butler.
46	1	Butler.	60	2	Butler.
104	2	Butler.	62	1	Butler.
97	2	Butler.	58	2	Butler.
185	1	Butler.	137	2	Butler.
209	2	Butler.	139	2	Butler.
43	1	Butler.	106	2	Butler.
229	2	Butler.	152	2	Butler.
115	2	Butler.	73	2	Butler.
184	2	Butler.	94	3	Butler.
51	2	Butler.	10	2	Butler.
131	2	Butler.	17	2	Butler.
65	2	Butler.	23	2	Butler.
163	2	Butler.	20	2	Butler.
179	2	Butler.	50	2	Butler.
150	1	Butler.	172	2	Butler.
45	2	Butler.	102	2	Butler.
211	2	Butler.	178	2	Butler.
59	2	Butler.	18	2	Butler.
228	2	Butler.	222	2	Butler.
38	2	Butler.	99	2	Butler.
35	2	Butler.	143	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
19	2	Butler.	234	1	Rocke.
82	1	Butler.	159	2	Rocke.
217	2	Butler.	140	2	Artz.
84	2	Butler.	219	2	Billsbarrow.
61	2	Butler.	76	2	Butler.
195	2	Butler.	8	1	Butler.
93	2	Butler.	117	2	Reynolds.
150	2	Butler.	215	2	Butler.
153	2	Butler.	26	2	Butler.
111	2	Butler.	199	2	Reynolds.
134	2	Butler.	90	2	Butler.
132	2	Butler.	83	2	Reynolds.
218	2	Butler.	32	2	Butler.
135	1	Butler.	147	2	Butler.
145	2	Butler.	147	2	Butler.
79	2	Butler.	40	2	Butler.
1	1	Butler.	216	2	Butler.
105	1	Butler.	75	2	Butler.
119	2	Butler.	205	2	Butler.
58	1	Butler.	31	2	Butler.
128	2	Butler.	210	2	Butler.
136	2	Butler.	187	2	Butler.
44	2	Butler.	260	2	Butler.
36	2	Butler.	204	2	Butler.
227	2	Butler.	168	2	Reynolds.
11	2	Butler.	56	2	Butler.
224	2	Butler.	157	2	Butler.
171	2	Butler.	107	2	Butler.
110	2	Butler.	196	1	Reynolds.
118	2	Butler.	160	2	Reynolds.
232	2	Butler.	120	1	Butler.
116	2	Butler.	34	2	Butler.
154	2	Butler.	129	2	Butler.
161	2	Butler.	223	2	Butler.
162	2	Butler.	6	2	Butler.
189	2	Reynolds.	7	2	Butler.
2	2	Reynolds.	41	2	Butler.
5	2	Reynolds.	92	1	Reynolds.
4	2	Reynolds.	33	2	Butler.
194	2	Reynolds.	96	2	Reynolds.
141	2	Reynolds.	207	2	Butler.
89	2	Reynolds.	12	2	Reynolds.
201	2	Reynolds.	239	1	Butler.
203	2	Reynolds.	40	2	Butler.
225	2	Reynolds.	77	2	Butler.
226	2	Reynolds.	235	2	Butler.
53	2	Reynolds.	48	1	Butler.
186	2	Reynolds.	29	2	Butler.
174	2	Reynolds.	169	2	Reynolds.
78	2	Reynolds.	220	2	Butler.
191	2	Reynolds.	21	2	Butler.
128	2	Reynolds.	42	2	Reynolds.
166	2	Reynolds.	197	2	Reynolds.
192	2	Reynolds.	81	2	Reynolds.
88	2	Reynolds.	9	2	Reynolds.
49	2	Reynolds.	188	2	Reynolds.
125	2	Reynolds.	3	2	Reynolds.
124	2	Reynolds.	127	2	Reynolds.
130	2	Reynolds.	198	2	Reynolds.
87	2	Reynolds.	54	2	Reynolds.
57	2	Reynolds.	91	2	Butler.
123	2	Reynolds.	158	1	Butler.
108	2	Reynolds.	167	2	Butler.
144	2	Nobody.	55	2	Butler.
135	2	Nobody.			

Q. (By Mr. HOLTCAMP.) Have you examined all the ballots in that box?—A. I have.

Q. Will you now produce, open, and count the ballots cast in the fifth precinct of the Fourteenth Ward, at the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
45	2	Butler.	243	2	Butler.
62	2	Butler.	54	2	Butler.
71	2	Butler.	221	2	Butler.
91	2	Butler.	213	2	Butler.
104	2	Butler.	201	2	Artz.
67	2	Butler.	166	2	Butler.
157	2	Butler.	144	2	Butler.
182	2	Butler.	169	2	Reynolds.
143	2	Butler.	229	2	Butler.
44	2	Butler.	110	2	Butler.
233	2	Butler.	106	2	Butler.
232	2	Butler.	84	2	Butler.
285	2	Butler.	294	2	Butler.
284	2	Butler.	81	2	Butler.
245	2	Butler.	128	2	Butler.
246	2	Butler.	213	2	Butler.
281	2	Butler.	51	2	Butler.
188	2	Butler.	39	2	Butler.
238	2	Butler.	235	2	Butler.
219	2	Butler.	241	2	Butler.
262	2	Butler.	147	1	Butler.
171	2	Butler.	227	2	Butler.
60	2	Butler.	208	2	Butler.
78	2	Butler.	153	2	Butler.
37	2	Butler.	265	2	Butler.
35	2	Butler.	122	2	Butler.
292	2	Butler.	100	2	Butler.
65	2	Butler.	101	2	Butler.
53	2	Butler.	46	2	Butler.
87	2	Butler.	160	2	Butler.
234	2	Butler.	244	2	Butler.
268	2	Butler.	3	2	Butler.
198	2	Butler.	139	2	Butler.
263	2	Butler.	126	2	Butler.
257	2	Butler.	61	2	Butler.
175	2	Butler.	74	2	Butler.
257	2	Butler.	73	2	Butler.
102	2	Butler.	197	2	Butler.
272	2	Butler.	107	2	Butler.
163	2	Butler.	63	2	Butler.
132	2	Butler.	68	2	Butler.
134	2	Butler.	30	2	Butler.
56	2	Butler.	64	2	Butler.
215	2	Butler.	158	2	Butler.
116	2	Butler.	192	2	Butler.
176	2	Butler.	145	2	Butler.
36	2	Butler.	146	2	Butler.
152	2	Butler.	98	2	Butler.
172	2	Butler.	149	2	Butler.
58	2	Butler.	14	2	Butler.
230	2	Butler.	143	2	Butler.
112	2	Butler.	258	2	Butler.
299	2	Butler.	269	2	Butler.
170	2	Butler.	214	2	Butler.
113	2	Butler.	25	2	Butler.
300	2	Butler.	5	2	Butler.
178	2	Butler.	85	2	Butler.
164	2	Butler.	47	2	Butler.
181	2	Butler.	33	2	Reynolds.
210	2	Butler.	189	2	Butler.
273	2	Butler.	44	2	Butler.
168	2	Butler.	42	2	Butler.
276	2	Butler.	40	2	Butler.
140	2	Butler.	8	2	Butler.
136	2	Butler.	31	2	Butler.
96	2	Butler.	86	2	Butler.
97	2	Butler.	95	2	Butler.
127	2	Butler.	231	2	Butler.
209	2	Butler.	13	2	Butler.
118	2	Butler.	222	2	Butler.
109	2	Butler.	99	2	Butler.
205	2	Butler.	217	2	Butler.
195	1	Butler.	202	2	Butler.
183	3	Butler.	103	2	Butler.
185	2	Butler.	135	2	Butler.
180	2	Butler.	15	2	Wagoner.
211	2	Butler.	94	2	Butler.
194	2	Butler.	224	2	Butler.
162	2	Butler.	142	2	Butler.
226	2	Butler.	196	2	Butler.
41	2	Butler.	117	2	Butler.
115	2	Butler.	125	2	Butler.
66	2	Butler.	141	2	Butler.
249	2	Butler.	173	2	Butler.
237	2	Butler.	252	2	Butler.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
250	2	Butler.	277	2	Reynolds.
255	2	Butler.	89	2	Reynolds.
256	2	Butler.	137	2	Reynolds.
218	2	Butler.	301	2	Reynolds.
48	2	Butler.	28	2	Reynolds.
247	2	Butler.	82	2	Reynolds.
72	2	Reynolds.	38	2	Reynolds.
77	2	Reynolds.	193	2	Reynolds.
203	2	Reynolds.	88	2	Reynolds.
69	2	Reynolds.	20	2	Reynolds.
43	2	Reynolds.	76	2	Reynolds.
184	2	Butler.	59	2	Reynolds.
291	2	Reynolds.	90	2	Reynolds.
131	2	Butler.	132	2	Reynolds.
274	2	Butler.	293	2	Reynolds.
17	2	Reynolds.	138	2	Reynolds.
80	2	Butler.	18	2	Reynolds.
43	2	Butler.	7	2	Reynolds.
129	2	Butler.	200	2	Reynolds.
55	2	Butler.	50	2	Reynolds.
1	2	Butler.	6	2	Reynolds.
161	2	Butler.	12	2	Reynolds.
24	2	Reynolds.	11	2	Reynolds.
93	2	Reynolds.	29	2	Reynolds.
19	2	Wagoner.	70	2	Reynolds.
119	2	Butler.	199	2	Reynolds.
275	2	Butler.	204	2	Reynolds.
111	2	Butler.	282	2	Reynolds.
52	2	Butler.	302	2	Reynolds.
264	2	Butler.	288	2	Reynolds.
223	2	Butler.	236	2	Reynolds.
32	2	Reynolds.	279	2	Reynolds.
298	2	Butler.	295	2	Reynolds.
92	2	Butler.	27	2	Reynolds.
75	2	Butler.	270	2	Reynolds.
79	2	Reynolds.	280	2	Reynolds.
268	2	Butler.	187	2	Reynolds.
261	2	Butler.	2	2	Rocker.
16	2	Butler.	21	2	Rocker.
128	2	Butler.	23	2	Rocker.
148	2	Butler.	283	2	Rocker.
167	2	Butler.	105	2	Artz.
225	2	Butler.	191	2	Butler.
206	2	Butler.	297	2	Nobody.
239	2	Butler.	9	2	Reynolds.
207	2	Butler.	286	2	Nobody.
151	2	Butler.	266	2	Reynolds.
126	2	Butler.	267	2	Reynolds.
58	2	Butler.	26	2	Butler.
114	2	Butler.	10	2	Billsbarrow.
289	2	Reynolds.	378	2	Billsbarrow.
83	2	Reynolds.	190	2	Artz.
290	2	Reynolds.	187	2	Artz.
4	2	Reynolds.	216	2	Nobody.
22	2	Reynolds.	165	2	Nobody.
296	2	Butler.	228	2	Nobody.

Q. (By Mr. HOLTCAMP.) Have you examined all the ballots in that box?—A. I have.

I now adjourn the further taking of these depositions until this evening, February 10, 1903, at the hour of 7 o'clock.

Q. (By Mr. HOLTCAMP.) Will you now produce, open, and count the ballots cast in the tenth precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom voted?—A. I will.

Ballot No.	Initials.	For whom voted.	Ballot No.	Initials.	For whom voted.
None	2	Butler.	None	2	Rocker.
None	2	Butler.	None	2	Rocker.
None	2	Rocker.	None	2	Rocker.
None	2	Rocker.	None	2	Rocker.
None	2	Rocker.	None	2	Butler.

[illegible]

Q. (By Mr. HOLTCAMP.) Have you examined all the ballots contained in that box?—A. I have.

Q. Will you now produce, open, and count the ballots cast in the eleventh precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis,

Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
130	2	Reynolds.	104	2	Butler.
145	2	Reynolds.	47	2	Reynolds.
20	2	Reynolds.	48	2	Butler.
147	2	Reynolds.	101	2	Butler.
75	2	Reynolds.	120	2	Butler.
66	2	Reynolds.	93	2	Butler.
40	2	Reynolds.	58	2	Reynolds.
98	2	Reynolds.	52	2	Butler.
46	2	Reynolds.	9	2	Butler.
122	2	Reynolds.	113	2	Butler.
116	2	Reynolds.	98	2	Butler.
18	2	Reynolds.	88	2	Butler.
27	2	Reynolds.	36	2	Butler.
11	2	Reynolds.	22	2	Butler.
109	2	Reynolds.	63	2	Butler.
81	2	Reynolds.	6	2	Butler.
38	2	Reynolds.	105	2	Butler.
26	2	Reynolds.	50	2	Butler.
76	2	Reynolds.	137	2	Butler.
117	2	Reynolds.	65	2	Butler.
68	2	Reynolds.	110	2	Butler.
99	2	Butler.	89	2	Butler.
39	2	Butler.	139	2	Butler.
62	2	Butler.	54	2	Butler.
63	2	Butler.	90	2	Butler.
131	2	Reynolds.	13	2	Butler.
49	2	Reynolds.	32	2	Artz.
85	2	Reynolds.	23	2	Artz.
135	2	Butler.	8	2	Artz.
19	2	Reynolds.	80	2	Artz.
123	2	Reynolds.	146	2	Reynolds.
44	2	Reynolds.	119	2	Reynolds.
60	2	Butler.	127	2	Butler.
64	2	Artz.	108	2	Butler.
33	2	Reynolds.	128	2	Butler.
125	2	Butler.	55	2	Butler.
17	2	Reynolds.	69	2	Butler.
24	2	Nobody.	136	2	Butler.
82	2	Nobody.	143	2	Butler.
35	2	Roeker.	142	1	Butler.
59	2	Billsbarrow.	144	2	Butler.
16	2	Butler.	34	2	Butler.
31	2	Reynolds.	61	2	Butler.
134	2	Reynolds.	37	2	Butler.
77	2	Butler.	92	2	Butler.
132	2	Reynolds.	3	2	Butler.
15	2	Reynolds.	121	2	Butler.
83	2	Butler.	133	2	Butler.
70	2	Reynolds.	2	2	Butler.
1	2	Reynolds.	12	2	Butler.
73	2	Reynolds.	114	2	Butler.
100	2	Reynolds.	91	2	Butler.
5	2	Reynolds.	146	2	Butler.
112	2	Butler.	43	2	Butler.
138	2	Butler.	95	2	Butler.
57	2	Butler.	102	2	Butler.
25	2	Butler.	30	2	Butler.
29	2	Butler.	42	2	Butler.
75	2	Butler.	149	2	Butler.
103	2	Butler.	14	2	Butler.
72	2	Butler.	67	2	Butler.
86	2	Butler.	106	2	Butler.
29	2	Butler.	71	2	Butler.
94	2	Butler.	51	2	Butler.
79	2	Butler.	41	2	Butler.
118	2	Butler.	48	2	Butler.
141	2	Butler.	124	2	Butler.
45	2	Butler.	107	2	Butler.
10	2	Butler.	96	2	Butler.
74	2	Reynolds.	4	2	Butler.
87	2	Butler.	111	2	Butler.

Q. (By Mr. HOLT CAMP.) Have you examined all the ballots in that box?—A. I have.

Q. Will you now produce, open, and count the ballots cast in the eleventh precinct of the Twenty-second Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress

from the Twelfth Congressional district of Missouri, for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—
A. I will.

Ballot.	Initials.	For whom cast.	Ballot.	Initials.	For whom cast.
33	2	Nobody.	180	2	Butler.
74	2	Nobody.	262	2	Butler.
55	2	Nobody.	233	2	Nobody.
98	2	Nobody.	241	2	Reynolds.
107	2	Nobody.	154	2	Reynolds.
248	2	Artz.	124	2	Butler.
225	2	Artz.	242	2	Butler.
160	2	Artz.	57	2	Reynolds.
51	2	Artz.	1	2	Butler.
200	2	Butler.	222	2	Butler.
138	2	Butler.	173	2	Butler.
132	2	Butler.	70	2	Butler.
103	2	Butler.	68	2	Butler.
237	2	Butler.	4	2	Butler.
134	2	Butler.	174	2	Butler.
161	2	Butler.	97	2	Butler.
226	2	Reynolds.	95	2	Butler.
13	2	Reynolds.	223	2	Butler.
202	2	Nobody.	5	2	Butler.
36	2	Butler.	53	2	Butler.
224	2	Butler.	162	2	Butler.
135	2	Reynolds.	38	2	Butler.
50	2	Reynolds.	12	2	Butler.
260	2	Nobody.	72	2	Butler.
216	2	Butler.	58	None.	Butler.
246	2	Butler.	141	2	Butler.
20	2	Butler.	121	2	Butler.
8	2	Butler.	116	1	Butler.
228	2	Reynolds.	44	2	Butler.
69	2	Butler.	23	2	Butler.
170	2	Reynolds.	159	2	Butler.
167	2	Reynolds.	126	2	Reynolds.
110	2	Butler.	186	2	Butler.
54	2	Butler.	90	2	Reynolds.
131	2	Butler.	63	2	Butler.
193	2	Nobody.	52	2	Butler.
197	2	Butler.	59	2	Butler.
35	2	Reynolds.	244	2	Butler.
239	2	Reynolds.	147	2	Reynolds.
231	2	Butler.	112	2	Butler.
238	2	Reynolds.	108	2	Reynolds.
210	2	Nobody.	44	2	Butler.
243	2	Butler.	75	2	Reynolds.
142	2	Reynolds.	49	2	Butler.
91	2	Butler.	9	2	Butler.
172	2	Reynolds.	190	2	Butler.
247	2	Butler.	64	2	Butler.
137	2	Nobody.	93	2	Butler.
136	2	Butler.	177	2	Butler.
73	2	Reynolds.	66	2	Butler.
120	2	Butler.	2	2	Butler.
198	2	Butler.	251	2	Butler.
184	2	Butler.	16	2	Butler.
151	2	Butler.	17	2	Butler.
204	2	Butler.	29	2	Butler.
32	2	Nobody.	18	2	Butler.
133	2	Butler.	None	2	Butler.
78	2	Butler.	40	2	Butler.
129	2	Butler.	56	2	Butler.
30	2	Butler.	67	2	Butler.
102	2	Butler.	43	2	Butler.
24	2	Nobody.	76	2	Butler.
161	2	Reynolds.	175	2	Butler.
253	2	Butler.	125	2	Butler.
220	2	Butler.	161	2	Butler.
214	2	Butler.	194	2	Butler.
99	2	Butler.	192	2	Butler.
208	2	Nobody.	191	2	Butler.
256	2	Butler.	89	2	Butler.
85	2	Butler.	212	2	Butler.
207	2	Reynolds.	185	2	Butler.
122	2	Butler.	6	2	Butler.
127	2	Butler.	113	2	Butler.
7	2	Butler.	11	2	Butler.
230	2	Artz.	155	2	Butler.
88	2	Butler.	119	2	Butler.
251	2	Butler.	100	2	Butler.
196	2	Butler.	86	2	Butler.
249	2	Reynolds.	27	2	Butler.
118	2	Reynolds.	62	2	Butler.

Ballot.	Initials.	For whom cast.	Ballot.	Initials.	For whom cast.
48	2	Butler.	149	2	Reynolds.
39	2	Butler.	71	2	Reynolds.
109	2	Butler.	106	2	Reynolds.
139	2	Butler.	263	2	Reynolds.
34	2	Butler.	188	2	Reynolds.
117	2	Butler.	87	2	Reynolds.
187	2	Butler.	101	2	Reynolds.
215	2	Butler.	199	2	Reynolds.
183	2	Butler.	258	2	Reynolds.
111	2	Butler.	232	2	Reynolds.
148	2	Butler.	179	2	Reynolds.
189	2	Butler.	14	2	Reynolds.
236	2	Reynolds.	178	2	Reynolds.
205	2	Reynolds.	46	2	Reynolds.
123	2	Butler.	143	2	Reynolds.
158	2	Butler.	83	2	Reynolds.
145	2	Reynolds.	255	2	Reynolds.
252	2	Reynolds.	92	2	Reynolds.
219	2	Reynolds.	153	2	Reynolds.
31	2	Reynolds.	182	2	Reynolds.
45	2	Reynolds.	104	2	Reynolds.
221	2	Butler.	140	2	Reynolds.
96	2	Butler.	170	2	Butler.
150	2	Butler.	152	2	Butler.
206	2	Butler.	80	2	Butler.
81	2	Butler.	240	2	Butler.
229	2	Nobody.	259	2	Butler.
65	2	Butler.	242	2	Butler.
163	2	Reynolds.	26	2	Butler.
217	2	Reynolds.	156	2	Butler.
47	2	Reynolds.	203	2	Butler.
2344	2	Reynolds.	168	2	Butler.
37	2	Reynolds.	84	2	Butler.
250	2	Reynolds.	21	2	Butler.
77	2	Reynolds.	82	2	Butler.
195	2	Reynolds.	79	2	Butler.
251	2	Reynolds.	28	2	Butler.
218	2	Reynolds.	176	2	Butler.
219	2	Reynolds.	128	2	Butler.
146	2	Reynolds.	169	2	Butler.
5	2	Reynolds.	114	2	Butler.
42	2	Reynolds.	181	2	Butler.
211	2	Reynolds.	277	2	Butler.
10	2	Reynolds.	115	2	Butler.
213	2	Reynolds.	41	2	Butler.
261	2	Reynolds.	15	2	Butler.
130	2	Reynolds.	22	2	Butler.
144	2	Reynolds.	209	2	Butler.
166	2	Reynolds.	165	2	Butler.
60	2	Reynolds.	227	2	Butler.
157	2	Reynolds.			

Q. (By Mr. HOLTCAMP.) Have you examined all the ballots contained in that box?—A. I have.

I now adjourn the further taking of testimony in this cause until the hour of 10 o'clock to-morrow, the 11th day of February, 1903.

Pursuant to adjournment, I resumed the taking of testimony in this proceeding this 11th day of February, 1903, at the hour of 10 o'clock a. m.

Appearances: For the contestant, Charles W. Holtcamp, esq.; no appearance for contestee.

By Mr. HOLTCAMP:

Q. Will you now produce, open, and count the ballots cast in the third precinct of the Twenty-third Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials if any, and for whom cast?—A. I will.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
33	2	Butler.	124	2	Butler.
90	2	Butler.	35	2	Nobody.
209	2	Butler.	72	2	Butler.
224	2	Butler.	186	2	Reynolds.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
244	2	Butler.	78	2	Reynolds.
215	2	Butler.	196	2	Reynolds.
125	2	Butler.	151	2	Reynolds.
212	2	Butler.	205	2	Reynolds.
251	2	Butler.	12	2	Reynolds.
158	2	Butler.	240	2	Butler.
21	2	Butler.	176	2	Butler.
18	2	Butler.	238	2	Butler.
248	2	Butler.	200	2	Butler.
154	2	Butler.	230	2	Butler.
247	2	Butler.	217	2	Butler.
34	2	Butler.	239	2	Butler.
179	2	Butler.	207	2	Butler.
29	2	Butler.	165	2	Butler.
28	2	Reynolds.	178	2	Butler.
47	2	Reynolds.	99	2	Butler.
52	2	Reynolds.	97	2	Butler.
221	2	Nobody.	237	2	Butler.
5	2	Butler.	168	2	Butler.
138	2	Butler.	197	2	Butler.
188	2	Butler.	170	2	Butler.
225	2	Butler.	94	2	Butler.
198	2	Butler.	195	2	Butler.
187 or 147	2	Nobody.	57	2	Butler.
120	2	Butler.	56	2	Butler.
161	2	Butler.	104	2	Butler.
32	2	Butler.	228	2	Butler.
253	2	Butler.	210	2	Butler.
69	2	Butler.	83	2	Butler.
68	2	Butler.	85	2	Butler.
173	2	Butler.	123	2	Butler.
61	2	Reynolds.	213	2	Butler.
192	2	Reynolds.	252	2	Butler.
84	2	Reynolds.	64	2	Butler.
49	2	Butler.	234	2	Butler.
58	2	Butler.	192	2	Butler.
87	2	Butler.	160	2	Butler.
63	2	Butler.	177	2	Butler.
15	2	Butler.	204	2	Butler.
13	2	Butler.	181	2	Butler.
39	2	Butler.	201	2	Butler.
127	2	Butler.	115	2	Butler.
129	2	Butler.	159	2	Butler.
235	2	Butler.	140	2	Butler.
145	2	Butler.	142	2	Butler.
62	2	Butler.	113	2	Butler.
45	2	Butler.	166	2	Butler.
55	2	Butler.	153	2	Butler.
41	2	Butler.	236	2	Butler.
135	2	Butler.	110	2	Butler.
14	2	Butler.	117	2	Butler.
46	2	Butler.	121	2	Reynolds.
36	2	Butler.	232	2	Reynolds.
44	2	Butler.	95	2	Reynolds.
4	2	Butler.	72	2	Reynolds.
119	2	Butler.	241	2	Reynolds.
20	2	Butler.	118	2	Reynolds.
128	2	Butler.	80	2	Butler.
149	2	Butler.	11	2	Reynolds.
19	2	Butler.	143	2	Butler.
246	2	Butler.	92	2	Reynolds.
30	2	Rocker.	202	2	Butler.
214	2	Butler.	191	2	Reynolds.
None	None.	Rocker.	24	2	Reynolds.
203	2	Butler.	191	2	Reynolds.
6 or 7	2	Butler.	141	2	Reynolds.
111	2	Butler.	9	2	Reynolds.
136	2	Reynolds.	218	2	Nobody.
77	2	Artz.	22	2	Reynolds.
162	2	Butler.	189	2	Butler.
184	2	Reynolds.	155	2	Reynolds.
96	2	Butler.	220	2	Nobody.
17	2	Butler.	26	2	Butler.
242	2	Butler.	182	2	Reynolds.
223	2	Butler.	1	2	Reynolds.
229	2	Reynolds.	183	2	Reynolds.
185	2	Butler.	150	2	Reynolds.
101	2	Butler.	167	2	Reynolds.
216	2	Butler.	249	2	Reynolds.
118	2	Butler.	6	2	Reynolds.
2	2	Nobody.	130	2	Reynolds.
43	2	Reynolds.	10	2	Reynolds.
8	2	Reynolds.	193	2	Reynolds.
190	2	Reynolds.	40	2	Reynolds.
31	2	Reynolds.	206	2	Butler.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
157	2	Butler.	231	2	Butler.
208	2	Butler.	102	2	Butler.
171	2	Butler.	151	2	Butler.
174	2	Butler.	219	2	Butler.
93	2	Butler.	112	2	Butler.
98	2	Butler.	105	2	Butler.
148	2	Butler.	75	2	Butler.
100	2	Butler.	16	2	Butler.
91	2	Butler.	187	2	Butler.
71	2	Butler.	107	2	Butler.
122	2	Butler.	71	2	Butler.
126	2	Butler.	23	2	Butler.
65	2	Butler.	211	2	Butler.
54	2	Butler.	109	2	Butler.
60	2	Butler.	250	2	Butler.
48	2	Reynolds.	67	2	Butler.
180	2	Reynolds.	153 or 156	2	Butler.
226	2	Reynolds.	38	2	Butler.
82	2	Reynolds.	114	2	Butler.
146	2	Reynolds.	141	2	Butler.
59	2	Reynolds.	164	2	Butler.
245	2	Reynolds.	103	2	Butler.
131	2	Reynolds.	243	2	Butler.
76	2	Reynolds.	175	2	Butler.
79	2	Reynolds.	233	2	Butler.
136	2	Reynolds.	81	2	Butler.
199	2	Reynolds.	169	2	Butler.
42	2	Butler.	116	2	Butler.
132	2	Butler.	Ballot torn in two; caption and 8 amendments missing.		
27	2	Butler.	163	2	Butler.
227	2	Butler.	Ballot torn in two; caption and all amendments missing.		
66	2	Butler.	133	2	Butler.
25	2	Butler.	Ballot torn in two; caption and all amendments missing.		
3	2	Butler.	89	2	Butler.
86	2	Butler.	Ballot torn in two; caption and amendments missing.		
50	2	Butler.	137	2	Butler.
51	2	Butler.	Ballot torn in two; caption and 7 amendments missing.		
139	2	Butler.			
88	2	Butler.			
222	2	Butler.			
34	2	Butler.			
106	2	Butler.			
70	2	Butler.			

The bottom portion of the last 5 ballots apparently correct.

Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you now produce, open, and count the ballots cast in the fourth precinct of the Twenty-third Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri, for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
69	2	Butler.	233	2	Butler.
65	2	Butler.	232	2	Butler.
23	2	Butler.	231	2	Butler.
149	1	Butler.	None	1	Butler.
182	2	Butler.	223	2	Butler.
190	2	Butler.	246	2	Butler.
107	2	Butler.	244	2	Reynolds.
192	1	Butler.	70	2	Butler.
171	2	Butler.	252	2	Butler.
19	2	Butler.	243	2	Butler.
126	2	Butler.	161	2	Butler.
88	2	Butler.	227	2	Butler.
17	1	Butler.	197	2	Butler.
87	1	Butler.	78	2	Butler.
26	2	Reynolds.	236	2	Butler.
240	2	Butler.	221	2	Butler.
239	2	Butler.	210	2	Butler.
93	2	Butler.	162	1	Butler.
54	2	Butler.	183	1	Butler.
141	2	Butler.	229	2	Butler.
206	2	Butler.	7	None.	Butler.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
22	2	Butler.	38	2	Butler.
60	2	Butler.	194	2	Butler.
124	2	Nobody.	139	2	Butler.
245	2	Butler.	145	2	Butler.
64	2	Butler.	127	2	Reynolds.
251	2	Butler.	216	2	Nobody.
158	2	Butler.	169	2	Butler.
222	2	Butler.	187	2	Butler.
112	1	Butler.	94	2	Butler.
2	1	Butler.	153	2	Butler.
205	2	Butler.	174	1	Butler.
201	2	Butler.	48	2	Butler.
105	2	Butler.	177	2	Butler.
68	1	Butler.	143	2	Butler.
118	2	Butler.	179	2	Butler.
91	2	Butler.	154	None.	Butler.
63	2	Butler.	156	2	Butler.
1	2	Reynolds.	169	2	Butler.
115	2	Reynolds.	160	2	Butler.
42	2	Butler.	214	2	Reynolds.
250	2	Butler.	104	2	Butler.
220	1	Butler.	21	1	Nobody.
None	2	Butler.	86	2	Butler.
Number destroyed by sealing wax.			186	2	Butler.
74	2	Butler.	5	2	Reynolds.
140	2	Butler.	196	2	Reynolds.
18	2	Butler.	76	2	Butler.
41	2	Butler.	79	2	Butler.
77	2	Butler.	46	1	Butler.
None	2	Butler.	176	2	Nobody.
166	2	Butler.	193	2	Butler.
175	2	Butler.	None	2	Nobody.
157	1	Butler.	31	2	Reynolds.
150	1	Butler.	36	2	Reynolds.
163	2	Butler.	219	2	Reynolds.
173	2	Butler.	213	2	Reynolds.
218	2	Reynolds.	19	None.	Reynolds.
249	2	Reynolds.	30	2	Reynolds.
116	2	Reynolds.	226	2	Reynolds.
123	2	Reynolds.	198	2	Nobody.
13	2	Reynolds.	83	2	Butler.
191	2	Butler.	92	2	Reynolds.
131	2	Butler.	207	2	Butler.
134	2	Butler.	202	2	Reynolds.
181	2	Butler.	16	2	Reynolds.
130	2	Nobody.	247	2	Nobody.
129	2	Butler.	80	2	Butler.
95	2	Butler.	34	2	Butler.
128	2	Butler.	242	2	Butler.
49	2	Butler.	81	2	Butler.
121	2	Butler.	84	2	Butler.
168	2	Butler.	235	2	Reynolds.
89	2	Butler.	228	2	Reynolds.
146	2	Butler.	209	1	Reynolds.
Number of this ballot on bottom of face.			56	2	Butler.
62	2	Butler.	53	2	Nobody.
9	2	Butler.	159	2	Butler.
253	2	Butler.	148	1	Butler.
114	2	Butler.	85	2	Butler.
98	2	Butler.	57	2	Nobody.
254	2	Butler.	165	2	Butler.
255	2	Butler.	12	2	Butler.
96	2	Butler.	58	2	Butler.
51	2	Butler.	215	2	Butler.
29	2	Butler.	248	2	Butler.
155	2	Butler.	200	2	Reynolds.
73	2	Butler.	50	2	Nobody.
35	2	Butler.	204	2	Butler.
137	2	Butler.	212	2	Butler.
110	2	Butler.	189	2	Butler.
45	2	Butler.	None	1	Nobody.
138	2	Butler.	238	2	Nobody.
15	2	Butler.	237	2	Nobody.
11	2	Nobody.	20	2	Nobody.
188	2	Butler.	44	2	Nobody.
37	2	Butler.	241	2	Butler.
52	1	Butler.	199	2	Butler.
71	2	Butler.	100	2	Butler.
170	2	Butler.	8	2	Reynolds.
203	2	Butler.	43	2	Reynolds.
117	2	Butler.	144	2	Butler.
None	2	Butler.	184	2	Butler.
184	1	Butler.	137	2	Butler.
59	2	Butler.	164	2	Butler.
101	2	Butler.	67	2	Reynolds.

Ballot number.	Initials.	For whom voted.	Ballot number.	Initials.	For whom voted.
47	2	Nobody.	147	1	Butler.
125	2	Butler.	109	2	Butler.
28	2	Wagoner.	97	2	Butler.
178	2	Butler.	33	2	Reynolds.
172	2	Butler.	14	2	Butler.
151	1	Butler.	136	2	Butler.
230	2	Reynolds.	120	2	Butler.
135	2	Reynolds.	3	2	Butler.
102	2	Reynolds.	111	2	Butler.
101	None.	Reynolds.	133	2	Butler.
22	2	Reynolds.	27	2	Butler.
131	2	Reynolds.	32	1	Butler.
207	2	Reynolds.	40	2	Butler.
72	2	Reynolds.	180	2	Butler.
217	2	Reynolds.	82	2	Butler.
142	2	Butler.	24	2	Butler.
10	2	Butler.	195	2	Butler.
225	2	Butler.	224	2	Butler.
75	2	Butler.	Ballot torn in two; caption and amendments missing.		
105	2	Butler.	119	2	Butler.
99	1	Butler.	Ballot torn in two; caption and amendments missing.		
108	2	Butler.			
39	2	Butler.			

Q. Have you examined all the ballots contained in that box?—A. I have.
JOHN ELLSPERMANN.

Subscribed in my presence and sworn to before me this 11th day of February, 1903. My commission will expire June 26, 1905.
[SEAL.] A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

STATE OF MISSOURI, City of St. Louis, ss:
I, A. R. Russell, a notary public in and for the city of St. Louis, in the State aforesaid, do hereby certify that in pursuance of notice duly served came before me at the office of the board of election commissioners of the city of St. Louis, Mo., in the city hall, in said city of St. Louis, Mo., John Ellspermann, who was by me sworn to testify the whole truth of his knowledge touching the matter in controversy in the contested election case of George D. Reynolds, contestant, against James J. Butler, contestee, now pending before the Fifty-eighth Congress of the United States, from the Twelfth Congressional district of Missouri; that he was examined and his examination reduced to writing by me, on the days, between the hours, and at the place in that behalf first aforesaid, and his said deposition is now herewith returned.
Given at St. Louis, in the State of Missouri, this 11th day of February, 1903. My commission will expire June 26, 1905.
[SEAL.] A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

FEBRUARY 9, 2.35 p. m., 1903.
Before Notary James D. Halter.
Appearances for the contestant, W. M. Kinsey and Charles W. Holtcamp.
Appearances for the contestee, none.

Further testimony of JOHN ELLSPERMANN.

Mr. KINSEY. Will you now produce, open, and count the ballots cast in the first precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress (long term)?
A. I will.

Number of ballot.	Initial.	For whom voted.	Number of ballot	Initial.	For whom voted.
91	2	Butler.	47	2	Butler.
84	2	Butler.	2	2	Butler.
13	2	Reynolds.	148	2	Butler.
79	2	Butler.	95	2	Reynolds.
205	2	Butler.	136	2	Butler.
112	2	Butler.	141	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
45	2	Butler.	185	2	Butler.
170	2	Butler.	43	2	Butler.
103	2	Butler.	171	2	Butler.
210	2	Butler.	190	2	Butler.
106	2	Butler.	37	2	Butler.
202	2	Butler.	29	2	Butler.
145	2	Butler.	46	2	Butler.
147	2	Butler.	87	2	Butler.
124	2	Butler.	138	2	Butler.
77	2	Reynolds.	102	2	Butler.
157	2	Butler.	172	2	Butler.
207	2	Butler.	178	2	Butler.
199	2	Butler.	150	2	Butler.
182	1	Butler.	209	2	Butler.
200	2	Butler.	160	2	Butler.
None	2	Butler.	208	2	Butler.
196	2	Butler.	192	2	Butler.
54	2	Butler.	188	2	Butler.
107	2	Butler.	42	2	Butler.
197	2	Butler.	137	2	Butler.
65	2	Butler.	142	2	Butler.
140	2	Reynolds.	67	2	Butler.
63	2	Butler.	126	2	Butler.
51	2	Butler.	120	2	Butler.
214	2	Butler.	54	2	Butler.
270	2	Butler.	56	2	Butler.
215	2	Butler.	187	2	Butler.
222	2	Butler.	177	2	Butler.
230	2	Butler.	116	2	Butler.
216	2	Butler.	206	None.	Butler.
152	2	Butler.	167	2	Butler.
169	2	Butler.	61	1	Butler.
201	2	Butler.	153	2	Butler.
193	2	Reynolds.	42	2	Butler.
114	2	Butler.	21	2	Butler.
73	2	Butler.	8	2	Butler.
50	2	Butler.	53	2	Butler.
161	2	Butler.	59	1	Butler.
75	2	Butler.	94	2	Butler.
213	2	Butler.	155	2	Butler.
219	2	Butler.	185	2	Butler.
175	2	Butler.	127	2	Butler.
20	2	Butler.	60	2	Butler.
96	2	Butler.	67	3	Butler.
211	2	Butler.	36	2	Butler.
151	2	Butler.	14	2	Butler.
195	2	Butler.	70	2	Butler.
165	2	Butler.	69	2	Butler.
149	2	Butler.	168	2	Butler.
135	2	Butler.	198	2	Butler.
181	2	Butler.	71	2	Butler.
176	2	Butler.	52	2	Butler.
64	2	Butler.	64	2	Butler.
212	2	Butler.	40	2	Butler.
27	2	Reynolds.	35	2	Butler.
151	2	Butler.	98	2	Butler.
163	2	Butler.	34	2	Butler.
68	2	Butler.	47	2	Butler.
656	2	Butler.	43	2	Butler.
110	2	Butler.	49	2	Butler.
163	2	Butler.	83	2	Butler.
203	2	Butler.	58	2	Butler.
119	2	Butler.	164	2	Butler.
228	2	Butler.	206	2	Butler.
154	1	Butler.	146	2	Butler.
30	2	Butler.	85	2	Reynolds.
221	2	Butler.	72	2	Butler.
186	2	Butler.	134	2	Butler.
174	2	Butler.	141	2	Butler.
113	2	Butler.	111	2	Butler.
25	2	Butler.	108	2	Butler.
218	2	Butler.	89	2	Butler.
109	1	Butler.	99	2	Butler.
8	2	Butler.	100	2	Butler.
223	2	Butler.	86	2	Butler.
18	2	Butler.	None.	2	Rocker.
144	2	Butler.	90	2	Nobody.
173	2	Butler.	None.	2	Reynolds.
39	2	Butler.	7	2	Butler.
166	2	Butler.	11	2	Butler.
224	2	Butler.	143	2	Butler.
38	2	Butler.	76	2	Butler.
227	2	Butler.	129	2	Butler.
125	2	Butler.	122	2	Butler.
220	2	Butler.	115	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
92	2	Butler.	118	2	Reynolds.
156	2	Butler.	30	2	Reynolds.
97	2	Butler.	16	2	Reynolds.
229	2	Butler.	5	2	Reynolds.
28	2	Butler.	220	2	Reynolds.
74	2	Butler.	131	2	Reynolds.
187	2	Butler.	189	2	Reynolds.
None	2	Reynolds.	19	2	Reynolds.
179	2	Butler.	159	2	Reynolds.
133	2	Reynolds.	9	2	Reynolds.
226	2	Butler.	12	1	Reynolds.
194	2	Rocker.	104	1	Reynolds.
26	2	Rocker.	20	2	Reynolds.
93	2	Rocker.	None	1	Reynolds.
231	2	Artz.	33	1	Reynolds.
128	2	Edward Hig-	27	2	Reynolds.
		dec.	18	1	Reynolds.
3	2	Billsbarrow.	10	1	Reynolds.
17	2	Billsbarrow.	88	1	Reynolds.
31	2	Billsbarrow.			

Mr. HOLTCAMP. Have you examined all the ballots contained in that box?

A. Yes, sir.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in the second precinct, Fourth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress (long term)?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
136	2	Butler.	293	2	Butler.
276	2	Butler.	301	2	Butler.
285	2	Butler.	163	2	Butler.
284	2	Butler.	251	2	Butler.
269	2	Butler.	369	2	Butler.
75	2	Butler.	148	2	Butler.
384	2	Butler.	400	2	Butler.
149	2	Butler.	105	2	Butler.
288	2	Butler.	235	2	Butler.
262	2	Butler.	142	2	Butler.
225	2	Butler.	401	2	Butler.
485	2	Butler.	266	2	Butler.
271	2	Butler.	385	2	Butler.
366	2	Butler.	267	2	Butler.
303	2	Butler.	360	2	Butler.
244	2	Butler.	130	2	Butler.
277	2	Butler.	453	2	Butler.
176	2	Butler.	286	2	Butler.
354	2	Butler.	472	2	Butler.
383	2	Butler.	319	2	Butler.
232	2	Butler.	314	2	Butler.
365	2	Butler.	296	2	Butler.
476	2	Butler.	92	2	Butler.
428	2	Butler.	281	2	Butler.
435	2	Butler.	473	2	Butler.
129	2	Butler.	456	2	Butler.
214	2	Butler.	69	2	Butler.
396	2	Butler.	309	2	Butler.
229	2	Butler.	372	2	Butler.
449	2	Butler.	143	2	Butler.
178	2	Butler.	233	2	Butler.
128	2	Butler.	450	2	Butler.
474	2	Butler.	87	2	Butler.
305	2	Butler.	88	2	Butler.
110	2	Butler.	252	2	Butler.
463	2	Butler.	380	2	Butler.
224	2	Butler.	31	2	Butler.
123	2	Butler.	203	2	Butler.
238	2	Butler.	109	2	Butler.
26	2	Butler.	468	2	Butler.
403	2	Butler.	483	2	Butler.
222	2	Butler.	345	2	Butler.
249	2	Butler.	268	2	Butler.
434	2	Butler.	245	2	Butler.
139	2	Butler.	141	2	Butler.
237	2	Butler.	236	2	Butler.
201	2	Butler.	333	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
409	2	Butler.	471	2	Butler.
331	2	Butler.	318	2	Butler.
336	2	Butler.	339	2	Butler.
142	2	Butler.	487	2	Butler.
114	2	Butler.	195	2	Butler.
59	2	Butler.	65	2	Butler.
83	2	Butler.	81	2	Butler.
455	2	Butler.	482	2	Butler.
20	2	Butler.	36	2	Butler.
98	2	Butler.	375	2	Butler.
123	2	Butler.	186	2	Butler.
480	2	Butler.	45	2	Butler.
429	2	Butler.	459	2	Butler.
488	2	Butler.	446	2	Butler.
16	2	Butler.	74	2	Butler.
89	2	Butler.	137	2	Butler.
407	2	Butler.	219	2	Butler.
392	2	Butler.	406	2	Butler.
304	2	Butler.	374	2	Butler.
481	2	Butler.	358	2	Butler.
440	2	Butler.	421	2	Butler.
347	2	Butler.	460	2	Butler.
367	2	Butler.	157	2	Butler.
361	2	Butler.	462	2	Butler.
352	2	Butler.	393	2	Butler.
480	2	Butler.	381	2	Butler.
402	2	Butler.	22	2	Butler.
177	2	Butler.	149	2	Butler.
389	2	Butler.	341	2	Butler.
274	2	Butler.	387	2	Butler.
263	2	Butler.	368	2	Butler.
426	2	Butler.	306	2	Butler.
380	2	Butler.	486	2	Butler.
300	2	Butler.	210	2	Butler.
85	2	Butler.	265	2	Butler.
444	2	Butler.	416	2	Butler.
433	2	Butler.	427	2	Butler.
103	2	Butler.	378	2	Butler.
399	2	Butler.	253	2	Butler.
136	2	Butler.	40	2	Butler.
332	2	Butler.	109	2	Butler.
300	2	Butler.	135	2	Butler.
307	2	Butler.	39	2	Butler.
228	2	Butler.	290	2	Butler.
226	2	Butler.	131	2	Butler.
428	2	Butler.	57	2	Butler.
187	2	Butler.	62	2	Butler.
126	2	Butler.	310	2	Butler.
21	2	Butler.	403	2	Butler.
33	2	Butler.	395	2	Butler.
264	2	Butler.	223	2	Butler.
17	2	Butler.	168	2	Butler.
248	2	Butler.	65	2	Butler.
88	2	Butler.	153	2	Butler.
84	2	Butler.	338	2	Butler.
343	2	Butler.	31	2	Butler.
86	2	Butler.	461	2	Butler.
35	2	Butler.	464	2	Butler.
15	2	Butler.	145	2	Butler.
353	2	Butler.	312	2	Butler.
445	2	Butler.	56	2	Butler.
432	2	Butler.	206	2	Butler.
261	2	Butler.	220	2	Butler.
156	2	Butler.	60	2	Butler.
208	2	Butler.	66	2	Butler.
155	2	Butler.	100	2	Butler.
242	2	Butler.	44	2	Butler.
280	2	Butler.	218	2	Butler.
82	2	Butler.	255	2	Butler.
270	2	Butler.	425	2	Butler.
132	2	Butler.	180	2	Butler.
111	2	Butler.	63	2	Butler.
157	2	Butler.	27	2	Butler.
256	2	Butler.	317	2	Butler.
221	2	Butler.	256	2	Butler.
54	2	Butler.	258	2	Butler.
164	2	Butler.	199	2	Butler.
289	2	Butler.	53	2	Butler.
93	2	Butler.	414	2	Butler.
18	2	Butler.	302	2	Butler.
398	2	Butler.	120	2	Butler.
181	2	Butler.	25	2	Butler.
423	2	Butler.	419	2	Butler.
339	2	Butler.	289	2	Butler.
49	2	Butler.	189	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
9	2	Butler.	162	2	Reynolds.
52	2	Butler.	412	2	Reynolds.
47	2	Butler.	328	2	Butler.
194	2	Butler.	373	2	Reynolds.
325	2	Butler.	359	2	Reynolds.
814	2	Butler.	216	2	Reynolds.
6	2	Butler.	133	2	Reynolds.
113	2	Butler.	151	2	Reynolds.
4	2	Butler.	182	2	Reynolds.
438	2	Butler.	142	2	Reynolds.
298	2	Butler.	250	2	Reynolds.
202	2	Butler.	278	2	Butler.
423	2	Butler.	26	2	Butler.
209	2	Butler.	436	2	Butler.
42	2	Butler.	241	2	Butler.
119	2	Butler.	447	2	Butler.
38	2	Butler.	420	2	Nobody.
322	2	Butler.	292	2	Butler.
469	2	Butler.	329	2	Butler.
355	2	Butler.	254	2	Butler.
369	2	Butler.	193	2	Butler.
377	2	Butler.	165	2	Butler.
382	2	Butler.	311	2	Butler.
424	2	Butler.	418	2	Butler.
329	2	Butler.	344	2	Butler.
34	2	Butler.	466	2	Butler.
362	2	Butler.	171	2	Butler.
439	2	Butler.	283	2	Butler.
282	2	Butler.	348	2	Butler.
205	2	Butler.	45	2	Butler.
145	2	Butler.	330	2	Butler.
312	2	Butler.	340	2	Butler.
72	2	Butler.	260	2	Butler.
51	2	Butler.	327	2	Butler.
207	2	Butler.	457	2	Butler.
350	2	Butler.	294	2	Butler.
232	2	Butler.	200	2	Butler.
118	2	Butler.	430	2	Butler.
94	2	Butler.	4	2	Butler.
246	2	Butler.	415	2	Butler.
124	2	Butler.	71	2	Butler.
397	2	Butler.	61	2	Butler.
475	2	Butler.	465	2	Butler.
7	2	Butler.	32	2	Butler.
351	2	Butler.	211	2	Butler.
46	2	Butler.	40	2	Butler.
215	2	Butler.	94	2	Butler.
90	2	Butler.	417	2	Butler.
243	2	Butler.	452	2	Butler.
146	2	Butler.	191	2	Butler.
301	2	Butler.	12	2	Butler.
234	2	Butler.	158	2	Butler.
371	2	Butler.	442	2	Butler.
273	2	Butler.	184	2	Butler.
404	2	Butler.	106	2	Butler.
363	2	Butler.	78	2	Butler.
117	2	Butler.	100	2	Butler.
279	2	Butler.	190	2	Butler.
47	2	Butler.	29	2	Butler.
295	2	Butler.	30	2	Butler.
239	2	Butler.	94	2	Butler.
166	2	Butler.	13	2	Butler.
405	2	Butler.	191	2	Butler.
3	2	Butler.	24	2	Butler.
101	2	Butler.	28	2	Butler.
169	2	Butler.	192	2	Butler.
183	2	Butler.	212	2	Butler.
410	2	Butler.	394	2	Butler.
316	2	Butler.	154	2	Butler.
198	2	Butler.	14	2	Butler.
290	2	Butler.	233	2	Butler.
185	2	Butler.	357	2	Butler.
376	2	Butler.	76	2	Butler.
174	2	Butler.	169	2	Butler.
419	2	Butler.	113	2	Butler.
102	2	Butler.	120	2	Butler.
80	2	Butler.	37	2	Butler.
99	2	Butler.	204	2	Butler.
17	2	Butler.	108	2	Butler.
83	2	Butler.	101	2	Butler.
389	2	Butler.	175	2	Butler.
217	2	Butler.	308	2	Butler.
140	2	Reynolds.	467	2	Butler.
109	2	Reynolds.	58	2	Butler.
171	2	Reynolds.	346	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
180	2	Butler.	470	2	Butler.
448	2	Butler.	115	2	Butler.
441	2	Butler.	413	2	Butler.
48	2	Butler.	14	2	Butler.
334	2	Butler.	68	2	Butler.
356	2	Butler.	50	2	Butler.
231	2	Butler.	424	2	Butler.
69	2	Butler.	241	2	Butler.
275	2	Butler.	116	2	Butler.
431	2	Butler.	127	2	Butler.
10	2	Butler.	240	2	Butler.
390	2	Butler.	321	2	Butler.
150	2	Butler.	249	2	Butler.
335	2	Butler.	272	2	Butler.
112	2	Butler.	213	2	Butler.
196	2	Butler.	386	2	Butler.
40	2	Butler.	227	2	Butler.
1	2	Butler.	451	2	Butler.
364	2	Butler.	320	2	Butler.
23	2	Butler.	313	2	Butler.
138	2	Butler.	450	2	Butler.
79	2	Butler.	152	2	Butler.
297	2	Butler.	454	2	Butler.
2	2	Butler.	147	2	Butler.
6	2	Butler.	443	2	Butler.
41	2	Butler.	Upper half of ballot 443 is missing.		
328	2	Butler.	8	2	Nobody.
35	2	Butler.	Lower half of ballot 8 is missing.		
91	2	Butler.			

Mr. HOLTCAMP. You have now examined all the ballots contained in that box?
A. I have.

Further taking of these depositions is continued to 9 o'clock a. m. February 10, 1903.

[SEAL.]

JAMES D. HALTER,
Notary Public.

My term expires January 11, 1906.

FEBRUARY 10, 9 A.M.

Before Notary James D. Halter.

Pursuant to adjournment, I now resume the further taking of these depositions at 9 a. m.

Mr. TAUSSIG. Will you now produce, open, and count the ballots cast in the Second precinct of the Fifth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri, for the long term, giving the number of each ballot, the initials, and for whom voted?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
172	2	Butler.	201	2	Butler.
44	2	Butler.	124	2	Butler.
221	2	Butler.	42	2	Butler.
145	2	Butler.	61	2	Butler.
25	2	Butler.	231	2	Butler.
29	2	Butler.	38	2	Butler.
61	2	Butler.	31	2	Butler.
60	2	Butler.	8	2	Butler.
188	2	Nobody.	200	2	Butler.
127	2	Butler.	30	2	Butler.
52	2	Butler.	11	2	Butler.
32	2	Butler.	51	2	Butler.
189	2	Butler.	141	2	Butler.
196	2	Butler.	248	2	Butler.
108	2	Butler.	206	2	Butler.
41	2	Butler.	130	2	Butler.
52	2	Butler.	209	2	Butler.
55	2	Butler.	237	2	Butler.
101	2	Butler.	78	2	Butler.
43	2	Butler.	228	2	Butler.
150	2	Butler.	198	2	Butler.
13	2	Butler.	235	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
230	2	Butler.	6	2	Reynolds.
162	2	Butler.	133	2	Reynolds.
248	2	Butler.	160	2	Reynolds.
168	2	Butler.	97	2	Reynolds.
211	2	Butler.	159	2	Reynolds.
234	2	Butler.	236	2	Reynolds.
None	2	Butler.	90	2	Reynolds.
213	2	Butler.	122	2	Reynolds.
137	2	Butler.	128	2	Reynolds.
219	2	Butler.	226	2	Reynolds.
212	2	Butler.	217	2	Reynolds.
40	2	Butler.	248	2	Reynolds.
233	2	Butler.	250	2	Reynolds.
135	2	Butler.	125	2	Reynolds.
138	2	Butler.	232	2	Reynolds.
215	2	Butler.	134	2	Reynolds.
140	2	Butler.	68	2	Reynolds.
56	2	Butler.	72	2	Reynolds.
132	2	Butler.	45	2	Reynolds.
12	2	Butler.	67	2	Reynolds.
37	2	Butler.	87	2	Reynolds.
1	2	Butler.	242	2	Reynolds.
142	2	Butler.	175	2	Reynolds.
246	2	Butler.	146	2	Reynolds.
144	2	Butler.	131	2	Reynolds.
179	2	Butler.	112	2	Reynolds.
204	2	Butler.	174	2	Reynolds.
223	2	Butler.	120	2	Reynolds.
None	2	Butler.	21	2	Reynolds.
204	2	Butler.	None	2	Reynolds.
185	2	Butler.	116	2	Reynolds.
229	2	Butler.	111	2	Reynolds.
224	2	Butler.	186	2	Reynolds.
123	2	Butler.	69	2	Reynolds.
75	2	Butler.	76	2	Reynolds.
199	2	Butler.	113	2	Reynolds.
85	2	Butler.	99	2	Reynolds.
58	2	Butler.	39	2	Reynolds.
66	2	Butler.	92	2	Reynolds.
143	2	Butler.	121	2	Reynolds.
85	2	Butler.	252	2	Reynolds.
86	2	Butler.	147	2	Reynolds.
89	2	Butler.	107	2	Reynolds.
100	2	Butler.	102	2	Reynolds.
161	2	Butler.	194	2	Reynolds.
17	2	Butler.	210	2	Reynolds.
None	2	Butler.	59	2	Reynolds.
180	2	Butler.	50	2	Reynolds.
70	2	Butler.	47	2	Reynolds.
182	2	Butler.	71	2	Reynolds.
105	2	Butler.	195	2	Reynolds.
63	2	Butler.	243	2	Reynolds.
173	2	Butler.	27	2	Reynolds.
153	2	Butler.	129	2	Reynolds.
241	2	Butler.	28	2	Reynolds.
49	2	Butler.	91	2	Reynolds.
16	2	Butler.	74	2	Reynolds.
220	2	Butler.	171	2	Reynolds.
5	2	Butler.	36	2	Reynolds.
34	2	Butler.	14	2	Reynolds.
99	2	Butler.	238	2	Reynolds.
46	2	Butler.	158	2	Reynolds.
82	2	Butler.	227	2	Reynolds.
19	2	Butler.	154	2	Reynolds.
116	2	Butler.	104	2	Reynolds.
62	2	Butler.	326	2	Reynolds.
63	2	Butler.	136	2	Reynolds.
1	2	Butler.	4	2	Reynolds.
18	2	Butler.	80	2	Reynolds.
22	2	Butler.	167	2	Reynolds.
114	2	Butler.	193	2	Reynolds.
15	2	Butler.	187	2	Reynolds.
84	2	Butler.	126	2	Reynolds.
35	2	Butler.	192	2	Reynolds.
109	2	Butler.	3	2	Reynolds.
54	2	Butler.	148	2	Reynolds.
191	2	Butler.	104	2	Reynolds.
None	2	Butler.	164	2	Reynolds.
79	2	Butler.	None	2	Reynolds.
205	2	Butler.	119	2	Reynolds.
249	2	Butler.	96	2	Reynolds.
12	2	Reynolds.	251	2	Reynolds.
115	2	Reynolds.	151	2	Reynolds.
244	2	Reynolds.	214	2	Reynolds.
88	2	Reynolds.	73	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
245	2	Reynolds.	149	2	Butler.
20	2	Butler.	81	2	Reynolds.
7	2	Butler.	77	2	Reynolds.
181	2	Reynolds.	24	2	Reynolds.
157	2	Reynolds.	110	2	Reynolds.
61	2	Reynolds.	198	2	Reynolds.
27	2	Reynolds.	169	2	Butler.
190	2	Reynolds.	170	2	Butler.
177	2	Reynolds.	165	2	Butler.
139	2	Reynolds.	156	2	Butler.
207	2	Reynolds.	216	2	Butler.
83	2	Reynolds.	84	2	Reynolds.
176	2	Reynolds.	163	2	Butler.
52	2	Reynolds.	64	2	Butler.
155	2	Reynolds.	163	2	Butler.
95	2	Reynolds.	98	2	Nobody.
183	2	Butler.	207	2	Nobody.

Mr. TAUSSIG. Have you examined and counted all the ballots contained in that box?

A. Yes, sir.

Mr. TAUSSIG. Will you now produce, open, and count the ballots cast in the fourth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representatives to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
426	2	Reynolds.	337	2	Butler.
428	2	Reynolds.	325	2	Butler.
54	2	Reynolds.	138	2	Butler.
111	2	Reynolds.	228	2	Butler.
404	2	Reynolds.	94	2	Butler.
449	2	Reynolds.	485	2	Butler.
11	2	Reynolds.	332	2	Butler.
119	2	Reynolds.	148	2	Butler.
117	2	Reynolds.	234	2	Butler.
330	2	Reynolds.	393	2	Butler.
235	2	Reynolds.	258	2	Butler.
215	2	Reynolds.	259	2	Butler.
419	2	Reynolds.	263	2	Butler.
412	2	Reynolds.	329	2	Butler.
10	2	Reynolds.	147	2	Butler.
179	2	Reynolds.	387	2	Butler.
327	2	Reynolds.	161	2	Butler.
423	2	Reynolds.	238	2	Butler.
21	2	Reynolds.	247	2	Butler.
118	2	Reynolds.	253	2	Butler.
414	2	Reynolds.	397	2	Butler.
None	2	Butler.	256	2	Butler.
None	2	Butler.	155	2	Butler.
525	2	Nobody.	290	2	Butler.
68	2	Nobody.	285	2	Butler.
398	2	Butler.	245	2	Butler.
422	2	Butler.	284	2	Butler.
411	2	Butler.	230	2	Butler.
119	2	Nobody.	260	2	Butler.
15	2	Nobody.	317	2	Butler.
425	2	Butler.	287	2	Butler.
60	2	Butler.	249	2	Butler.
18	2	Butler.	224	2	Butler.
8	2	Butler.	235	2	Butler.
445	2	Nobody.	41	2	Butler.
329	2	Butler.	328	2	Butler.
369	2	Butler.	189	2	Butler.
55	2	Nobody.	375	2	Butler.
22	2	Butler.	379	2	Butler.
71	2	Butler.	280	2	Butler.
402	2	Butler.	202	2	Butler.
223	2	Butler.	109	2	Butler.
190	2	Butler.	2	2	Butler.
12	2	Butler.	227	2	Butler.
451	2	Butler.	240	2	Butler.
64	2	Butler.	314	2	Butler.
278	2	Butler.	407	2	Butler.
454	2	Butler.	406	2	Butler.
313	2	Butler.	460	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
93	2	Butler.	6	2	Butler.
177	2	Butler.	151	2	Butler.
212	2	Butler.	101	2	Butler.
348	2	Butler.	141	2	Butler.
74	2	Butler.	133	2	Butler.
188	2	Butler.	435	2	Butler.
276	2	Butler.	142	2	Butler.
512	2	Butler.	152	2	Butler.
None	2	Butler.	380	2	Butler.
17	2	Butler.	159	2	Butler.
268	2	Butler.	381	2	Butler.
266	2	Butler.	153	2	Butler.
27	2	Butler.	388	2	Butler.
126	2	Butler.	405	2	Butler.
265	2	Butler.	480	2	Butler.
255	2	Butler.	176	2	Butler.
232	2	Butler.	339	2	Butler.
125	2	Butler.	344	2	Butler.
203	2	Butler.	16	2	Butler.
474	2	Butler.	345	2	Butler.
204	2	Butler.	458	2	Butler.
283	2	Butler.	88	2	Butler.
78	2	Butler.	432	2	Nobody.
207	2	Butler.	464	2	Butler.
89	2	Butler.	75	2	Butler.
19	2	Butler.	418	2	Butler.
252	2	Butler.	82	2	Butler.
232	2	Butler.	56	2	Butler.
294	2	Butler.	97	2	Butler.
388	2	Butler.	136	2	Butler.
184	2	Butler.	133	2	Butler.
229	2	Butler.	179	2	Butler.
226	2	Butler.	211	2	Butler.
187	2	Butler.	322	2	Butler.
450	2	Butler.	321	2	Butler.
196	2	Butler.	320	2	Butler.
214	2	Butler.	361	2	Butler.
129	2	Butler.	26	2	Butler.
293	2	Butler.	271	2	Butler.
28	2	Butler.	47	2	Butler.
310	2	Butler.	295	2	Butler.
225	2	Butler.	35	2	Butler.
131	2	Butler.	48	2	Butler.
79	2	Butler.	488	2	Butler.
292	2	Butler.	18	2	Butler.
95	2	Butler.	96	2	Butler.
517	2	Butler.	455	2	Butler.
80	2	Butler.	192	2	Butler.
146	2	Butler.	116	2	Butler.
92	2	Butler.	157	2	Butler.
16	2	Butler.	246	2	Butler.
298	2	Butler.	103	2	Butler.
522	2	Butler.	315	2	Butler.
143	2	Butler.	132	2	Butler.
91	2	Butler.	236	2	Butler.
304	2	Butler.	139	2	Butler.
524	2	Butler.	46	2	Butler.
150	2	Butler.	77	2	Butler.
144	2	Butler.	130	2	Butler.
305	2	Butler.	269	2	Butler.
145	2	Butler.	59	2	Butler.
135	2	Butler.	333	2	Butler.
134	2	Butler.	356	2	Butler.
162	2	Butler.	107	2	Butler.
37	2	Butler.	449	2	Butler.
306	2	Butler.	69	2	Butler.
167	2	Butler.	242	2	Butler.
50	2	Butler.	401	2	Butler.
302	2	Butler.	73	2	Butler.
330	2	Butler.	520	2	Butler.
14	2	Butler.	461	2	Butler.
307	2	Butler.	154	2	Butler.
170	2	Butler.	440	2	Butler.
351	2	Butler.	351	2	Butler.
104	2	Butler.	264	2	Butler.
149	2	Butler.	349	2	Butler.
100	2	Butler.	194	2	Butler.
296	2	Butler.	18	2	Butler.
163	2	Butler.	87	2	Butler.
81	2	Butler.	463	2	Butler.
527	2	Butler.	239	2	Butler.
279	2	Butler.	364	2	Butler.
165	2	Butler.	366	2	Butler.
277	2	Butler.	365	2	Butler.
166	2	Butler.	467	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
326	2	Butler.	137	2	Butler.
338	2	Butler.	281	2	Butler.
340	2	Butler.	63	2	Butler.
343	2	Butler.	286	2	Butler.
359	2	Butler.	391	2	Butler.
456	2	Butler.	105	2	Butler.
350	2	Butler.	197	2	Butler.
311	2	Butler.	198	2	Butler.
362	2	Butler.	447	2	Butler.
363	2	Butler.	72	2	Butler.
113	2	Butler.	400	2	Butler.
342	2	Butler.	274	2	Butler.
367	2	Butler.	399	2	Butler.
519	2	Butler.	156	2	Butler.
507	2	Butler.	182	2	Butler.
312	2	Butler.	441	2	Butler.
310	2	Butler.	529	2	Butler.
168	2	Butler.	409	2	Butler.
389	2	Butler.	70	2	Butler.
442	2	Butler.	33	2	Butler.
477	2	Butler.	430	2	Butler.
270	2	Butler.	51	2	Butler.
257	2	Butler.	311	2	Butler.
529	2	Butler.	210	2	Butler.
200	2	Butler.	209	2	Butler.
275	2	Butler.	346	2	Butler.
308	2	Butler.	390	2	Butler.
299	2	Butler.	158	2	Butler.
251	2	Butler.	221	2	Butler.
368	2	Butler.	208	2	Butler.
250	2	Butler.	171	2	Butler.
261	2	Butler.	183	2	Butler.
76	2	Butler.	132	2	Butler.
248	2	Butler.	84	2	Butler.
253	2	Butler.	29	2	Butler.
140	2	Butler.	86	2	Butler.
237	2	Butler.	83	2	Butler.
526	2	Butler.	360	2	Butler.
262	2	Butler.	352	2	Butler.
291	2	Butler.	353	2	Butler.
99	2	Butler.	354	2	Butler.
102	2	Butler.	355	2	Butler.
273	2	Butler.	357	2	Butler.
510	2	Butler.	193	2	Butler.
67	2	Butler.	358	2	Butler.
301	2	Butler.	347	2	Butler.
4	2	Butler.	382	2	Butler.
13	2	Butler.	213	2	Butler.
476	2	Butler.	90	2	Butler.
289	2	Butler.	386	2	Butler.
231	2	Butler.	383	2	Butler.
66	2	Butler.	385	2	Butler.
44	2	Butler.	481	2	Butler.
395	2	Butler.	384	2	Butler.
244	2	Butler.	392	2	Butler.
316	2	Butler.	195	2	Butler.
39	2	Butler.	117	2	Butler.
45	2	Butler.	319	2	Butler.
389	2	Butler.	169	2	Butler.
110	2	Butler.	475	2	Butler.
254	2	Butler.	300	2	Butler.
500	2	Butler.	201	2	Butler.
272	2	Butler.	313	2	Butler.
267	2	Butler.	128	2	Butler.
282	2	Butler.	164	2	Butler.
233	2	Butler.	465	2	Butler.
211	2	Butler.	341	2	Butler.
None	2	Butler.	473	2	Butler.
318	2	Butler.	131	2	Butler.
297	2	Butler.	85	2	Butler.
457	2	Butler.	484	2	Butler.
394	2	Butler.	398	2	Butler.
200	2	Butler.	506	2	Butler.
466	2	Butler.	48	2	Butler.
160	2	Butler.	38	2	Butler.
452	2	Butler.	42	2	Butler.
396	2	Butler.	108	2	Butler.
455	2	Butler.	446	2	Butler.
37	2	Butler.	420	2	Butler.
199	2	Butler.	19	2	Butler.
243	2	Butler.	106	2	Butler.
459	2	Butler.	489	2	Butler.
408	2	Butler.	501	2	Butler.
205	2	Butler.	28	2	Butler.
423	2	Butler.	424	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
515	2	Butler.	470	2	Butler.
486	2	Butler.	12	2	Butler.
123	2	Butler.	468	2	Butler.
443	2	Butler.	436	2	Butler.
58	2	Butler.	417	2	Butler.
487	2	Butler.	31	2	Butler.
471	2	Butler.	403	2	Butler.
114	2	Butler.	32	2	Butler.
115	2	Butler.	7	2	Butler.
9	2	Butler.	123	2	Butler.
502	2	Butler.	62	2	Butler.
24	2	Butler.	523	2	Butler.
118	2	Reynolds.	521	2	Butler.
419	2	Butler.	332	2	Butler.
448	2	Butler.	34	2	Butler.
186	2	Butler.	36	2	Butler.
3	2	Butler.	175	2	Butler.
180	2	Butler.	516	2	Butler.
43	2	Butler.	440	2	Butler.
482	2	Butler.	518	2	Butler.
185	2	Butler.	49	2	Butler.
210	2	Butler.	377	2	Butler.
483	2	Butler.	514	2	Butler.
445	1	Butler.	511	2	Butler.
370	2	Butler.	469	2	Butler.
416	2	Butler.	20	2	Butler.
222	2	Butler.	505	2	Butler.
121	2	Butler.	334	2	Butler.
5	2	Butler.	509	2	Butler.
124	2	Butler.	504	2	Butler.
467	2	Butler.	427	2	Butler.
24	2	Butler.	479	2	Butler.
174	2	Butler.	30	2	Butler.
478	2	Butler.	444	2	Butler.
508	2	Butler.	421	2	Butler.
438	2	Butler.	433	2	Butler.
447	2	Butler.	503	2	Butler.
513	2	Butler.	472	2	Butler.
51	2	Butler.	61	2	Reynolds.
410	2	Butler.	439	2	Reynolds.
413	2	Butler.	53	2	Reynolds.
434	2	Butler.	415	2	Reynolds.
120	2	Butler.	40	2	Reynolds.
25	2	Butler.	523	2	Reynolds.
122	2	Butler.	435	2	Reynolds.
471	2	Butler.			

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in that box?

A. Yes, sir.

The further taking of these depositions is now adjourned to 1 o'clock p. m.

[SEAL.]

JAMES D. HALTER,
Notary Public.

My term expires January 11, 1906.

Pursuant to adjournment, as above stated, I resumed the taking of depositions, as follows:

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in the eighth precinct of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
3	2	Butler.	42	2	Butler.
49	2	Butler.	310	2	Butler.
51	2	Butler.	302	2	Butler.
106	2	Butler.	297	2	Butler.
99	2	Butler.	82	2	Butler.
178	2	Butler.	89	2	Butler.
46	2	Butler.	36	2	Butler.
109	2	Butler.	146	2	Butler.
50	2	Butler.	304	2	Butler.
367	2	Butler.	299	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
293	2	Butler.	136	2	Butler.
189	2	Butler.	28	2	Butler.
203	2	Butler.	41	2	Butler.
70	2	Butler.	13	2	Butler.
150	2	Butler.	18	2	Butler.
60	2	Butler.	22	2	Butler.
103	2	Butler.	7	2	Butler.
52	2	Butler.	24	2	Butler.
97	2	Butler.	39	2	Butler.
95	2	Butler.	356	2	Butler.
98	2	Butler.	195	2	Butler.
181	2	Butler.	2	2	Butler.
188	2	Butler.	10	2	Butler.
321	2	Butler.	69	2	Butler.
126	2	Butler.	140	2	Butler.
328	2	Butler.	85	2	Butler.
143	2	Butler.	38	2	Butler.
123	2	Butler.	130	2	Butler.
116	2	Butler.	53	2	Butler.
117	2	Butler.	133	2	Butler.
322	2	Butler.	35	2	Butler.
194	2	Butler.	329	2	Butler.
113	2	Butler.	34	2	Butler.
180	2	Butler.	139	2	Butler.
47	2	Butler.	6	2	Butler.
186	2	Butler.	281	2	Butler.
91	2	Butler.	5	2	Butler.
191	2	Butler.	28	2	Butler.
193	2	Butler.	87	2	Butler.
331	2	Butler.	93	2	Butler.
350	2	Butler.	309	2	Butler.
319	2	Butler.	339	2	Butler.
353	2	Butler.	346	2	Butler.
357	2	Butler.	289	2	Butler.
315	2	Butler.	371	2	Butler.
312	2	Butler.	348	2	Butler.
283	2	Butler.	334	2	Butler.
48	2	Butler.	335	2	Butler.
44	2	Butler.	176	2	Butler.
145	2	Butler.	301	2	Butler.
352	2	Butler.	333	2	Butler.
73	2	Butler.	332	2	Butler.
76	2	Butler.	138	2	Butler.
55	2	Butler.	323	2	Butler.
57	2	Butler.	177	2	Butler.
4	2	Butler.	280	2	Butler.
11	2	Butler.	311	2	Butler.
31	2	Butler.	175	2	Butler.
29	2	Butler.	20	2	Butler.
110	2	Butler.	107	2	Butler.
277	2	Butler.	338	2	Butler.
368	2	Butler.	335	2	Butler.
369	2	Butler.	40	2	Butler.
190	2	Butler.	359	2	Butler.
187	2	Butler.	12	2	Butler.
16	2	Butler.	58	2	Butler.
9	2	Butler.	74	2	Butler.
142	2	Butler.	64	2	Butler.
196	2	Butler.	331	2	Reynolds.
314	2	Butler.	305	2	Reynolds.
129	2	Butler.	101	2	Reynolds.
174	2	Butler.	298	2	Reynolds.
122	2	Butler.	366	2	Reynolds.
183	2	Butler.	361	2	Reynolds.
51	2	Butler.	362	2	Reynolds.
94	2	Butler.	311	2	Reynolds.
43	2	Butler.	None	2	Reynolds.
310	2	Butler.	47	2	Reynolds.
179	2	Butler.	351	2	Reynolds.
198	2	Butler.	43	2	Reynolds.
189	2	Butler.	68	2	Reynolds.
185	2	Butler.	86	2	Reynolds.
337	2	Butler.	100	2	Reynolds.
296	2	Butler.	354	2	Reynolds.
294	2	Butler.	309	2	Butler.
345	2	Butler.	37	2	Butler.
327	2	Butler.	300	2	Butler.
286	2	Butler.	347	2	Nobody.
127	2	Butler.	90	2	Rocker.
108	2	Butler.	131	2	Rocker.
182	2	Butler.	388	2	Rocker.
313	2	Butler.	125	2	Rocker.
8	2	Butler.	41	2	Rocker.
173	2	Butler.	102	2	Reynolds.
56	2	Butler.	38	2	Reynolds.
284	2	Butler.	49	2	Artz.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
328	2	Reynolds.	260	2	Butler.
336	2	Reynolds.	197	2	Butler.
282	2	Reynolds.	273	2	Butler.
365	2	Reynolds.	316	2	Butler.
30	2	Reynolds.	77	2	Butler.
17	2	Reynolds.	132	2	Butler.
14	2	Reynolds.	355	2	Butler.
341	2	Reynolds.	23	2	Reynolds.
112	2	Reynolds.	80	2	Reynolds.
27	2	Reynolds.	325	2	Reynolds.
81	2	Reynolds.	135	2	Reynolds.
19	2	Reynolds.	217	2	Butler.
33	2	Reynolds.	26	2	Reynolds.
284	2	Reynolds.	124	2	Nobody.
83	2	Butler.	292	2	Nobody.
105	2	Reynolds.	92	2	Butler.
71	2	Reynolds.	32	2	Butler.
115	2	Reynolds.	15	2	Nobody.
104	2	Reynolds.	318	2	Butler.
66	2	Reynolds.	134	2	Butler.
148	2	Reynolds.	245	2	Butler.
144	2	Reynolds.	209	2	Butler.
142	2	Reynolds.	226	2	Butler.
364	2	Reynolds.	63	2	Butler.
360	2	Reynolds.	225	2	Butler.
75	2	Reynolds.	320	2	Butler.
185	2	Butler.	376	2	Butler.
21	2	Butler.	344	2	Butler.
111	2	Butler.	254	2	Butler.
279	2	Butler.	155	2	Butler.
65	2	Butler.	338	2	Reynolds.
363	2	Butler.	349	2	Butler.
216	2	Butler.	162	2	Butler.
84	2	Butler.	153	2	Butler.
261 or 267	2	Butler.	163	2	Butler.
200	2	Butler.	275	2	Butler.
252	2	Butler.	237	2	Butler.
307	2	Butler.	257	2	Butler.
167	2	Butler.	272	2	Butler.
261	2	Butler.	222	2	Butler.
21	2	Butler.	160	2	Butler.
201	2	Butler.	157	2	Butler.
161	2	Butler.	220	2	Butler.
154	2	Butler.	229	2	Butler.
306	2	Butler.	308	2	Butler.
171	2	Butler.	137	2	Butler.
72	2	Butler.	28	2	Joy.
88	2	Butler.	249	2	Butler.
219	2	Butler.	241	2	Butler.
214	2	Butler.	246	2	Butler.
211	2	Butler.	247	2	Butler.
260	2	Butler.	245	2	Butler.
203	2	Butler.	251	2	Butler.
114	2	Butler.	152	2	Butler.
243	2	Butler.	227	2	Butler.
200	2	Butler.	213	2	Butler.
211	2	Butler.	266	2	Butler.
264	2	Butler.	224	2	Butler.
154	2	Butler.	202	2	Butler.
231	2	Butler.	317	2	Butler.
233	2	Butler.	62	2	Reynolds.
257	2	Butler.	61	2	Butler.
205	2	Butler.	166	2	Butler.
45	2	Butler.	219	2	Butler.
170	2	Butler.	287	2	Butler.
207	2	Butler.	168	2	Butler.
208	2	Butler.	240	2	Butler.
199	2	Butler.	67	2	Butler.
210	2	Butler.	164	2	Butler.
212	2	Butler.	215	2	Butler.
244	2	Butler.	169	2	Butler.
223	2	Butler.	265	2	Butler.
207	2	Butler.	203	2	Butler.
216	2	Butler.	234	2	Butler.
156	2	Butler.	232	2	Butler.
315	2	Butler.	291	2	Butler.
228	2	Butler.	119	2	Butler.
220	2	Butler.	274	2	Butler.
96	2	Butler.	235	2	Butler.
218	2	Butler.	221	2	Butler.
243	2	Butler.	204	2	Butler.
264	2	Butler.	236	2	Butler.
161	2	Butler.	239	2	Butler.
158	2	Butler.	285	2	Reynolds.
172	2	Butler.	262	2	Butler.
265	2	Butler.	258	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
340	2	Butler.	324	2	
1	2	Butler.	Last three ballots above are the top halves, lower missing.		
206	2	Butler.	151	2	Butler.
270	2	Butler.	Top half of ballot gone.		
120	2	Butler.	325	2	Butler.
79	2		Top half of ballot gone.		
290	2				

Mr. HOLT CAMP. Have you now examined and counted all the ballots contained in that box?

A. We have.

Mr. HOLT CAMP. Will you now produce, open, and count the ballots cast in the twelfth precinct of the Thirteenth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representative from the Twelfth Congressional district of Missouri for the Fifty-eighth Congress, for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
172	2	Reynolds.	276	2	Butler.
151	2	Reynolds.	175	2	Butler.
168	2	Reynolds.	258	2	Butler.
30	2	Reynolds.	70	2	Butler.
248	2	Reynolds.	5	2	Reynolds.
64	2	Reynolds.	75	2	Butler.
19	2	Reynolds.	62	2	Butler.
145	2	Reynolds.	274	2	Butler.
217	2	Reynolds.	66	2	Butler.
138	2	Reynolds.	270	2	Butler.
174	2	Reynolds.	273	2	Butler.
78	2	Reynolds.	193	2	Butler.
289	2	Reynolds.	167	2	Butler.
238	2	Reynolds.	250	2	Butler.
252	2	Reynolds.	256	2	Butler.
149	2	Reynolds.	249	2	Butler.
104	2	Reynolds.	209	2	Butler.
100	2	Reynolds.	220	2	Butler.
183	2	Reynolds.	265	2	Butler.
69	2	Reynolds.	290	2	Butler.
186	2	Artz.	135	2	Butler.
50	2	Rocker.	38	2	Butler.
94	2	Butler.	284	2	Butler.
192	2	Reynolds.	91	2	Butler.
3	2	Butler.	9	2	Butler.
263	2	Nobody.	170	2	Butler.
281	2	Nobody.	216	2	Butler.
219	2	Nobody.	288	2	Butler.
164	2	Nobody.	48	2	Butler.
233	2	Nobody.	285	2	Butler.
200	2	Butler.	59	2	Butler.
102	2	Reynolds.	41	2	Butler.
237	2	Butler.	126	2	Butler.
92	2	Butler.	88	2	Butler.
134	2	Reynolds.	116	2	Butler.
7	2	Reynolds.	49	2	Butler.
231	2	Butler.	14	2	Butler.
198	2	Reynolds.	160	2	Butler.
207	2	Butler.	119	2	Butler.
236	2	Butler.	97	2	Butler.
194	2	Butler.	78	2	Butler.
269	2	Butler.	229	2	Butler.
133	2	Butler.	32	2	Butler.
171	2	Butler.	282	2	Butler.
188	2	Reynolds.	86	2	Butler.
166	2	Reynolds.	148	2	Butler.
49	2	Reynolds.	109	2	Butler.
139	2	Butler.	143	2	Butler.
141	2	Butler.	264	2	Butler.
230	2	Butler.	137	2	Butler.
226	2	Butler.	76	2	Butler.
191	2	Reynolds.	185	2	Reynolds.
121	2	Reynolds.	253	2	Butler.
152	2	Nobody.	84	2	Butler.
271	2	Butler.	260	2	Butler.
None	2	Reynolds.	17	2	Butler.
257	2	Reynolds.	23	2	Butler.
114	2	Butler.	52	2	Butler.
129	2	Butler.	113	2	Butler.
281	2	Butler.	71	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
67	2	Butler.	118	2	Butler.
127	2	Butler.	377	2	Butler.
187	2	Butler.	169	2	Butler.
223	2	Butler.	239	2	Butler.
211	2	Butler.	76	2	Butler.
214	2	Reynolds.	83	2	Butler.
206	2	Butler.	147	2	Butler.
204	2	Butler.	None	2	Butler.
213	2	Butler.	108	2	Butler.
225	2	Butler.	150	2	Butler.
221	2	Butler.	261	2	Butler.
228	2	Butler.	123	2	Butler.
235	2	Butler.	262	2	Butler.
245	2	Butler.	136	2	Butler.
227	2	Butler.	131	2	Butler.
25	2	Butler.	155	2	Butler.
2	2	Butler.	36	2	Butler.
272	2	Butler.	132	2	Butler.
98	2	Butler.	259	2	Butler.
240	2	Butler.	142	2	Butler.
240	2	Butler.	275	2	Butler.
202	2	Butler.	51	2	Butler.
205	2	Butler.	4	2	Butler.
29	2	Butler.	11	2	Butler.
26	2	Butler.	106	2	Butler.
40	2	Butler.	291	2	Butler.
10	2	Butler.	87	2	Butler.
45	2	Butler.	199	2	Butler.
110	2	Butler.	90	2	Butler.
222	2	Butler.	117	2	Butler.
89	2	Butler.	53	2	Butler.
13	2	Butler.	15	2	Butler.
57	2	Butler.	43	2	Butler.
37	2	Butler.	130	2	Butler.
58	2	Butler.	215	2	Butler.
85	2	Butler.	224	2	Reynolds.
72	2	Butler.	99	2	Reynolds.
47	2	Butler.	154	2	Reynolds.
93	2	Butler.	286	2	Reynolds.
65	2	Butler.	22	2	Reynolds.
74	2	Butler.	267	2	Reynolds.
266	2	Butler.	35	2	Reynolds.
182	2	Butler.	33	2	Reynolds.
81	2	Butler.	163	2	Reynolds.
44	2	Butler.	257	2	Reynolds.
27	2	Butler.	179	2	Reynolds.
31	2	Butler.	223	2	Reynolds.
105	2	Butler.	181	2	Reynolds.
24	2	Butler.	76	2	Reynolds.
195	2	Butler.	201	2	Reynolds.
125	2	Butler.	232	2	Reynolds.
1	2	Butler.	242	2	Reynolds.
251	2	Butler.	178	2	Reynolds.
54	2	Butler.	279	2	Reynolds.
61	2	Butler.	73	2	Reynolds.
162	2	Butler.	8	2	Reynolds.
21	2	Butler.	268	2	Reynolds.
6	2	Butler.	28	2	Reynolds.
189	2	Butler.	95	2	Reynolds.
112	2	Butler.	55	2	Reynolds.
278	2	Butler.	101	2	Reynolds.
243	2	Butler.	34	2	Reynolds.
103	2	Butler.	234	2	Reynolds.
115	2	Butler.	18	2	Reynolds.
111	2	Butler.	16	2	Reynolds.
218	2	Butler.	36	2	Reynolds.
162	2	Butler.	77	2	Reynolds.
153	2	Butler.	42	2	Reynolds.
63	2	Butler.	20	2	Reynolds.
280	2	Butler.	96	2	Butler.
80	2	Butler.	128	2	Butler.
79	2	Butler.	208	2	Butler.
12	2	Butler.	140	2	Butler.
165	2	Butler.	212	2	Butler.
157	2	Butler.	82	2	Butler.
244	2	Butler.	247	2	Butler.
159	2	Butler.	156	2	Butler.
122	2	Butler.	196	2	Butler.
210	2	Butler.	203	2	Butler.
190	1	Butler.	254	2	Butler.
146	2	Butler.	144	2	Butler.
158	2	Butler.	184	2	Butler.
173	1	Butler.	180	2	Butler.
60	2	Butler.	241	2	Butler.
197	2	Butler.	39 (top part (half) of this ballot torn off).	2	Butler.
120	2	Butler.			
124	2	Butler.			

Mr. HOLT CAMP. Have you examined and counted all the ballots contained in this box?

A. Yes, sir.

Mr. HOLT CAMP. Will you now produce, open, and count the ballots cast in the eighth precinct, Fourteenth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress, for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
518	2	Butler.	95	2	Butler.
256	2	Butler.	472	2	Butler.
304	2	Butler.	74	2	Butler.
284	2	Butler.	96	2	Butler.
299	2	Butler.	450	2	Butler.
408	2	Butler.	536	2	Butler.
294	2	Butler.	535	2	Butler.
113	2	Butler.	27	2	Butler.
108	2	Butler.	528	2	Butler.
474	2	Butler.	435	2	Butler.
110	2	Butler.	228	2	Butler.
161	2	Butler.	292	2	Butler.
480	2	Butler.	39	2	Butler.
82	2	Butler.	332	2	Butler.
537	2	Butler.	279	2	Butler.
529	2	Butler.	290	2	Butler.
527	2	Butler.	339	2	Butler.
353	2	Butler.	242	2	Butler.
524	2	Butler.	1	2	Butler.
523	2	Butler.	406	2	Butler.
525	2	Butler.	261	2	Butler.
521	2	Butler.	323	2	Butler.
281	2	Butler.	224	2	Butler.
15	2	Butler.	28	2	Butler.
519	2	Butler.	43	2	Butler.
282	2	Butler.	522	2	Butler.
318	2	Butler.	479	2	Butler.
483	2	Butler.	520	2	Butler.
48	2	Butler.	176	2	Butler.
450	2	Butler.	218	2	Butler.
69	2	Butler.	83	2	Butler.
340	Torn off.	Butler.	102	2	Butler.
7	2	Butler.	62	2	Butler.
80	2	Butler.	150	2	Butler.
103	2	Butler.	91	2	Butler.
29	2	Butler.	104	2	Butler.
33	2	Butler.	305	2	Butler.
97	2	Butler.	517	2	Butler.
100	2	Butler.	326	2	Butler.
90	2	Butler.	417	2	Butler.
77	2	Butler.	306	2	Butler.
240	2	Butler.	416	2	Butler.
37	2	Butler.	271	2	Butler.
183	2	Butler.	413	2	Butler.
379	2	Butler.	25	2	Butler.
325	2	Butler.	231	2	Butler.
324	2	Butler.	301	2	Butler.
313	2	Butler.	539	2	Butler.
322	2	Butler.	538	2	Butler.
344	2	Butler.	337	2	Butler.
172	2	Butler.	79	2	Butler.
107	2	Butler.	428	2	Butler.
119	2	Butler.	426	2	Butler.
106	2	Butler.	212	2	Butler.
105	2	Butler.	88	2	Butler.
533	2	Butler.	176	2	Butler.
86	2	Butler.	514	2	Butler.
475	2	Butler.	52	2	Butler.
422	2	Butler.	252	2	Butler.
526	2	Butler.	155	2	Butler.
18 (top of ballot gone)	2	Butler.	190	2	Butler.
116	2	Butler.	197	2	Butler.
543	2	Butler.	265	2	Butler.
447	2	Butler.	488	2	Butler.
501	2	Butler.	246	2	Butler.
531	2	Butler.	390	2	Butler.
472	2	Butler.	229	2	Butler.
530	2	Butler.	511	2	Butler.
30	2	Butler.	329	2	Butler.
545	2	Butler.	385	2	Butler.
89	2	Butler.	327	2	Butler.
499	2	Butler.	419	2	Butler.
94	2	Butler.	415	2	Butler.
158	2	Butler.	266	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
335	2	Butler.	198	2	Butler.
259	2	Butler.	211	2	Butler.
351	2	Butler.	104	2	Butler.
295	2	Butler.	203	2	Butler.
107	2	Butler.	216	2	Butler.
109	2	Butler.	309	2	Butler.
315	2	Butler.	145	2	Butler.
420	2	Butler.	147	2	Butler.
177	2	Butler.	34	2	Butler.
482	2	Butler.	114	2	Butler.
170	2	Butler.	172	2	Butler.
38	2	Butler.	11	2	Reynolds.
316	2	Butler.	223	2	Butler.
516	2	Butler.	122	2	Butler.
314	2	Butler.	432	2	Butler.
531	2	Butler.	441	2	Butler.
388	2	Butler.	474	2	Butler.
378	2	Butler.	222	2	Butler.
300	2	Butler.	507	2	Butler.
298	2	Butler.	195	2	Butler.
393	2	Butler.	78	2	Butler.
544	2	Butler.	118	2	Butler.
258	2	Butler.	155	2	Butler.
199	2	Butler.	157	2	Butler.
291	2	Butler.	152	2	Butler.
542	2	Butler.	112	2	Butler.
115	2	Butler.	180	2	Butler.
245	2	Butler.	513	2	Butler.
227	2	Butler.	99	2	Butler.
153	2	Butler.	540	2	Butler.
401	2	Butler.	171	2	Butler.
146	2	Butler.	111	2	Butler.
249	2	Butler.	87	2	Butler.
337	2	Butler.	50	2	Butler.
361	2	Butler.	260	2	Butler.
254	2	Butler.	476	2	Butler.
373	2	Butler.	14	2	Butler.
50	2	Butler.	53	2	Butler.
367	2	Butler.	92	2	Butler.
297	2	Butler.	81	2	Butler.
225	2	Butler.	437	2	Nobody.
238	2	Butler.	402	2	Butler.
372	2	Butler.	348	2	Butler.
418	2	Butler.	275	2	Butler.
168	2	Butler.	512	2	Butler.
200	2	Butler.	295	2	Butler.
251	2	Butler.	504	2	Butler.
382	2	Butler.	210	2	Butler.
302	2	Butler.	511	2	Butler.
457	2	Butler.	500	2	Butler.
269	2	Butler.	489	2	Butler.
222	2	Butler.	370	2	Butler.
300	2	Butler.	243	2	Butler.
264	2	Butler.	309	2	Butler.
257	2	Butler.	289	2	Butler.
160	2	Butler.	283	2	Butler.
376	2	Butler.	458	2	Butler.
285	2	Butler.	286	2	Butler.
503	2	Butler.	340	2	Butler.
425	2	Butler.	424	2	Butler.
244	2	Butler.	171	2	Butler.
296	2	Butler.	433	2	Butler.
236	2	Butler.	442	2	Butler.
262	2	Butler.	466	2	Butler.
242	2	Butler.	320	2	Butler.
343	2	Butler.	446	2	Butler.
235	2	Butler.	470	2	Butler.
384	2	Butler.	473	2	Butler.
362	2	Butler.	310	2	Butler.
354	2	Butler.	237	2	Butler.
436	2	Butler.	485	2	Butler.
221	2	Butler.	204	2	Butler.
444	2	Butler.	345	2	Butler.
458	2	Butler.	429	2	Reynolds.
192	2	Butler.	334	2	Butler.
182	2	Butler.	54	2	Reynolds.
410	2	Butler.	68	2	Reynolds.
306	2	Butler.	31	2	Reynolds.
258	2	Butler.	182	2	Reynolds.
463	2	Reynolds.	58	2	Reynolds.
430	2	Butler.	12	2	Reynolds.
506	2	Butler.	17	2	Reynolds.
505	2	Butler.	423	2	Reynolds.
502	2	Butler.	36	2	Reynolds.
213	2	Butler.	8	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
20	2	Reynolds.	220	2	Reynolds.
22	2	Reynolds.	109	2	Butler.
36	2	Reynolds.	5	2	Butler.
10	2	Reynolds.	304	2	Butler.
170	2	Butler.	148	2	Butler.
77	2	Butler.	167	2	Butler.
336	2	Butler.	230	2	Butler.
341	2	Butler.	369	2	Butler.
294	2	Butler.	151	2	Butler.
409	2	Butler.	16	2	Nobody.
380	2	Butler.	371	2	Butler.
503	2	Butler.	368	2	Butler.
270	2	Butler.	333	2	Butler.
221	2	Butler.	253	2	Butler.
404	2	Butler.	352	2	Butler.
516	2	Butler.	296	2	Butler.
515	2	Butler.	193	2	Butler.
426	2	Butler.	13	2	Butler.
411	2	Butler.	183	2	Butler.
311	2	Butler.	297	2	Butler.
263	2	Butler.	338	2	Butler.
232	2	Butler.	101	2	Butler.
280	2	Butler.	405	2	Butler.
276	2	Butler.	312	2	Butler.
241	2	Butler.	307	2	Butler.
403	2	Butler.	288	2	Butler.
267	2	Butler.	282	2	Butler.
202	2	Butler.	287	2	Butler.
298	2	Butler.	239	2	Butler.
308	2	Butler.	247	2	Butler.
359	2	Butler.	375	2	Butler.
321	2	Butler.	278	2	Butler.
226	2	Butler.	35	2	Butler.
414	2	Butler.	355	2	Butler.
252	2	Butler.	317	2	Butler.
250	2	Butler.	347	2	Butler.
330	2	Butler.	299	2	Butler.
268	2	Butler.	532	2	Butler.
154	2	Butler.	352	2	Butler.
427	2	Butler.	273	2	Butler.
174	2	Butler.	360	2	Butler.
392	2	Butler.	386	2	Butler.
487	2	Butler.	412	2	Butler.
421	2	Butler.	308	2	Butler.
293	2	Butler.	272	2	Butler.
357	2	Butler.	365	2	Butler.
305	2	Butler.	48	2	Butler.
407	2	Butler.	475	2	Butler.
106	2	Butler.	465	2	Reynolds.
97	2	Butler.	6	2	Reynolds.
467	2	Butler.	469	2	Butler.
130	2	Butler.	3	2	Butler.
478	2	Butler.	40	2	Butler.
84	2	Butler.	383	2	Butler.
57	2	Butler.	387	2	Butler.
349	2	Butler.	156	2	Butler.
320	2	Butler.	482	2	Butler.
274	2	Butler.	175	2	Butler.
319	2	Butler.	26	2	Butler.
474	2	Reynolds.	477	2	Butler.
149	2	Butler.	44	2	Reynolds.
470	2	Reynolds.	217	2	Reynolds.
443	2	Reynolds.	217	2	Butler.
196	2	Butler.	9	2	Butler.
445	2	Butler.	19	2	Reynolds.
164	2	Butler.	466	2	Nobody.
214	2	Butler.	191	2	Reynolds.
118	2	Butler.	187	2	Reynolds.
449	2	Butler.	440	2	Reynolds.
509	2	Butler.	468	2	Reynolds.
428	2	Butler.	434	2	Reynolds.
427	2	Butler.	220	2	Reynolds.
215	2	Butler.	46	2	Reynolds.
431	2	Butler.	24	2	Reynolds.
219	2	Butler.	451	2	Reynolds.
381	2	Butler.	51	2	Reynolds.
248	2	Butler.	49	2	Reynolds.
172	2	Butler.	32	2	Reynolds.
350	2	Butler.	4	2	Butler.
374	2	Butler.	171	2	Reynolds.
187	2	Butler.	46	2	Reynolds.
159	2	Butler.	186	2	Butler.
210	2	Butler.	2	2	Reynolds.
169	2	Butler.	470	2	Reynolds.
201	2	Butler.	189	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
486	2	Reynolds.	55	2	Butler.
439	2	Butler.	484	2	Butler.
42	2	Reynolds.	234	2	Butler.
45	2	Reynolds.	231	2	Butler.
41	2	Reynolds.	358	2	Butler.
121	2	Reynolds.	233	2	Butler.
425	2	Reynolds.	363	2	Butler.
21	2	Reynolds.	One ballot cast for Butler, without number of initial.		
451	2	Reynolds.			
179	2	Reynolds.			

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in that box?

A. Yes, sir.

The further taking of these depositions is hereby adjourned to 7 o'clock p. m.

[SEAL.]

JAMES D. HALTER,
Notary Public.

My term expires January 11, 1906.

Pursuant to adjournment, as above stated, I resumed the taking of testimony as follows:

By Mr. HOLTCAMP:

Q. Will you now produce, open, and count the ballots cast in the fifteenth precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they may relate to the election of a Representative of the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?—A. I will.

Number of ballot.	Initial.	For whom voted.	Number of ballot.	Initial.	For whom voted.
159	2	Nobody.	123	2	Reynolds.
151	2	Nobody.	99	2	Reynolds.
10	2	Reynolds.	119	2	Reynolds.
94	2	Reynolds.	96	2	Reynolds.
162	2	Nobody.	93	2	Butler.
160	2	Butler.	40	2	Reynolds.
38	2	Reynolds.	105	2	Reynolds.
31	2	Butler.	56	2	Reynolds.
116	2	Butler.	50	2	Reynolds.
30	2	Butler.	95	2	Reynolds.
69	2	Butler.	98	2	Reynolds.
102	2	Reynolds.	165	2	Reynolds.
147	2	Butler.	17	2	Rocker.
12	2	Butler.	103	2	Rocker.
54	2	Butler.	20	2	Bilsbarrow.
65	2	Reynolds.	75	2	Bilsbarrow.
137	2	Butler.	22	2	Roekerr.
145	2	Artz.	92	2	Rocker.
88	2	Artz.	152	2	Rocker.
64	2	Artz.	23	2	Rocker.
81	2	Artz.	149	2	Rocker.
18	2	Bilsbarrow.	136	2	Rocker.
108	2	Reynolds.	34	2	Rocker.
86	2	Butler.	29	2	Reynolds.
27	2	Reynolds.	6	2	Reynolds.
45	2	Butler.	14	2	Reynolds.
74	2	Butler.	29	2	Reynolds.
79	2	Butler.	90	2	Reynolds.
126	2	Butler.	138	2	Reynolds.
163	2	Butler.	11	2	Reynolds.
47	2	Butler.	73	2	Reynolds.
68	2	Nobody.	84	2	Reynolds.
118	2	Reynolds.	101	2	Reynolds.
111	2	Reynolds.	127	2	Reynolds.
57	2	Reynolds.	8	2	Reynolds.
51	2	Reynolds.	4	2	Reynolds.
150	2	Reynolds.	44	2	Reynolds.
78	2	Reynolds.	83	2	Reynolds.
120	2	Reynolds.	133	2	Reynolds.
19	2	Reynolds.	158	2	Reynolds.
72	2	Nobody.	32	2	Reynolds.
37	2	Reynolds.	71	2	Reynolds.
82	2	Reynolds.	112	2	Reynolds.
55	2	Butler.	100	2	Reynolds.

Number of ballot.	Initial.	For whom voted.	Number of ballot.	Initial.	For whom voted.
13	2	Reynolds.	26	2	Butler.
59	2	Reynolds.	76	2	Butler.
157	2	Reynolds.	62	2	Butler.
131	2	Reynolds.	43	2	Butler.
142	2	Reynolds.	141	2	Butler.
42	2	Reynolds.	125	2	Butler.
25	2	Reynolds.	89	2	Butler.
66	2	Reynolds.	36	2	Butler.
167	2	Reynolds.	1	2	Butler.
48	2	Reynolds.	2	2	Butler.
67	2	Reynolds.	49	2	Butler.
130	2	Reynolds.	87	2	Butler.
139	2	Reynolds.	148	2	Butler.
154	2	Reynolds.	16	2	Butler.
9	2	Reynolds.	62	2	Butler.
61	2	Reynolds.	132	2	Butler.
106	2	Reynolds.	155	2	Butler.
156	2	Reynolds.	116	2	Butler.
35	2	Reynolds.	128	2	Butler.
15	2	Reynolds.	122	2	Butler.
166	2	Reynolds.	31	2	Butler.
7	2	Reynolds.	113	2	Butler.
63	2	Reynolds.	168	2	Butler.
161	2	Reynolds.	33	2	Butler.
85	2	Reynolds.	21	2	Butler.
60	2	Reynolds.	70	2	Butler.
109	2	Reynolds.	135	2	Butler.
28	2	Reynolds.	143	2	Butler.
58	2	Reynolds.	134	2	Butler.
24	2	Reynolds.	41	2	Butler.
97	2	Reynolds.	104	2	Butler.
164	2	Butler.	5	2	Butler.
140	2	Butler.	117	2	Butler.
3	2	Butler.	53	2	Butler.
121	2	Butler.	107	2	Butler.
115	2	Butler.	39	2	Butler.
110	2	Butler.	114	2	Butler.
77	2	Butler.	153	2	Butler.
80	2	Butler.	124	2	Butler.

Q. Have you examined all the ballots in the said box?—A. Yes, sir.

Mr. HOLT CAMP. Will you now produce, open, and count the ballots cast in the ninth precinct of the Fifteenth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representative from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
119	2	Butler.	274	2	Butler.
260 (top part of this ballot torn off).	2	Butler.	187	2	Butler.
156	2	Butler.	226	2	Butler.
120	2	Butler.	174	2	Butler.
22	2	Butler.	224	2	Butler.
43	2	Butler.	165	2	Butler.
42	2	Butler.	176	2	Butler.
132	2	Butler.	142	2	Butler.
76	2	Reynolds.	234	2	Butler.
139	2	Butler.	230	2	Butler.
114	2	Butler.	196	2	Butler.
112	2	Reynolds.	173	2	Butler.
272	2	Butler.	246	2	Butler.
194	2	Butler.	214	2	Butler.
261	2	Butler.	249	2	Butler.
169	2	Butler.	126	2	Butler.
223	2	Butler.	66	2	Butler.
240	2	Butler.	65	2	Butler.
221	2	Butler.	276	2	Reynolds.
38	2	Butler.	273	1	Reynolds.
264	2	Butler.	186	2	Reynolds.
88	2	Butler.	116	2	Reynolds.
37	2	Butler.	145	2	Reynolds.
53	2	Butler.	275	2	Reynolds.
250	2	Butler.	136	2	Reynolds.
280	2	Butler.	74	2	Reynolds.
80	2	Butler.	75	2	Reynolds.
28	2	Butler.	131	2	Reynolds.
			24	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
46	2	Reynolds.	95	2	Nobody.
86	2	Reynolds.	26	2	Nobody.
20	2	Reynolds.	29	2	Butler.
35	2	Reynolds.	15	2	Reynolds.
147	2	Reynolds.	40	2	Butler.
85	2	Reynolds.	13	2	Butler.
41	2	Butler.	128	2	Butler.
67	2	Butler.	99	2	Butler.
130	2	Butler.	199	2	Butler.
84	2	Butler.	42	2	Reynolds.
77	2	Butler.	103	2	Butler.
98	2	Butler.	25	2	Reynolds.
39	2	Butler.	122	2	Reynolds.
61	2	Butler.	262	2	Butler.
36	2	Butler.	58	2	Reynolds.
44	2	Butler.	12	2	Butler.
148	2	Butler.	70	2	Reynolds.
52	2	Butler.	270	2	Reynolds.
118	2	Butler.	55	2	Reynolds.
107	2	Butler.	45	2	Butler.
93	2	Butler.	266	2	Butler.
117	2	Butler.	125	2	Butler.
71	2	Butler.	78	2	Reynolds.
62	2	Butler.	11	2	Butler.
68	2	Butler.	115	2	Artz.
52	2	Butler.	241	2	Butler.
184	2	Butler.	237	2	Butler.
265	2	Butler.	231	2	Butler.
138	2	Butler.	177	2	Butler.
9	2	Butler.	184	2	Butler.
130	2	Butler.	248	2	Butler.
87	2	Butler.	199	2	Butler.
100	2	Butler.	239	2	Butler.
57	2	Butler.	208	2	Butler.
59	2	Butler.	161	2	Butler.
127	2	Butler.	220	2	Butler.
112	2	Butler.	167	2	Butler.
63	2	Butler.	162	2	Butler.
149	2	Butler.	190	2	Butler.
268	2	Butler.	252	2	Butler.
135	2	Butler.	185	2	Butler.
54	2	Butler.	200	2	Butler.
133	2	Butler.	153	2	Butler.
145	2	Butler.	152	2	Butler.
27	2	Butler.	222	2	Butler.
48	2	Butler.	157	2	Butler.
6	2	Butler.	205	2	Butler.
31	2	Butler.	204	2	Butler.
255	2	Butler.	156	2	Butler.
140	2	Butler.	203	2	Butler.
279	2	Butler.	210	2	Butler.
269	2	Butler.	219	2	Butler.
72	2	Butler.	134	2	Butler.
106	2	Butler.	195	2	Butler.
141	2	Butler.	193	2	Butler.
16	2	Butler.	181	2	Butler.
96	2	Reynolds.	165	2	Butler.
137	2	Reynolds.	172	2	Butler.
83	2	Reynolds.	168	2	Butler.
10	2	Reynolds.	171	2	Butler.
271	2	Reynolds.	182	2	Butler.
4	2	Reynolds.	178	2	Butler.
8	2	Reynolds.	49	2	Butler.
7	2	Reynolds.	216	2	Butler.
5	2	Reynolds.	258	2	Butler.
103	2	Reynolds.	187	2	Butler.
251	2	Reynolds.	229	2	Butler.
278	2	Reynolds.	215	2	Butler.
97	2	Reynolds.	225	2	Butler.
254	2	Reynolds.	213	2	Butler.
31	2	Reynolds.	209	2	Butler.
68	2	Reynolds.	201	2	Butler.
45	2	Reynolds.	218	2	Butler.
93	2	Reynolds.	198	2	Butler.
102	2	Reynolds.	159	2	Butler.
263	2	Reynolds.	212	2	Butler.
146	2	Billsbarrow.	186	2	Butler.
17	2	Rocker.	154	2	Butler.
111	2	Rocker.	166	2	Butler.
69	2	Rocker.	207	2	Butler.
144	2	Billsbarrow.	228	2	Butler.
91	2	Billsbarrow.	160	2	Butler.
5	2	Billsbarrow.	335	2	Butler.
101	2	Nobody.	236	2	Butler.
281	2	Nobody.	247	2	Butler.
253	2	Nobody.	158	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballots.	Initials.	For whom voted.
188	2	Butler.	79	2	Reynolds.
211	2	Butler.	260	2	Reynolds.
238	2	Butler.	30	2	Reynolds.
229	2	Butler.	19	2	Reynolds.
202	2	Butler.	272	2	Reynolds.
244	2	Butler.	1	2	Reynolds.
232	2	Butler.	81	2	Reynolds.
192	2	Butler.	47	2	Reynolds.
197	2	Butler.	50	2	Reynolds.
170	2	Butler.	56	2	Reynolds.
155	2	Butler.	121	2	Reynolds.
180	2	Butler.	25	2	Reynolds.
175	2	Butler.	21	2	Reynolds.
206	2	Butler.	267	2	Reynolds.
217	2	Butler.	100	2	Reynolds.
180	2	Butler.	33	2	Reynolds.
233	2	Butler.	34	2	Reynolds.
191	2	Butler.	123	2	Reynolds.
144	2	Reynolds.	64	2	Reynolds.
134	2	Butler.	90	2	Reynolds.
89	2	Butler.	113	2	Reynolds.
124	2	Butler.	83	2	Reynolds.
256	2	Butler.	110	2	Reynolds.
28	2	Reynolds.	76	2	Reynolds.
108	2	Reynolds.			

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in that box?

A. Yes, sir.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in the sixth precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the candidate from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
None	2	Butler.	130	2	Butler.
None	1	Reynolds.	116	2	Butler.
None	2	Butler.	103	2	Butler.
118	2	Butler.	113	2	Butler.
None	2	Reynolds.	None	2	Reynolds.
None	2	Butler.	123	2	Butler.
117	2	Butler.	109	2	Butler.
106	2	Butler.	135	2	Butler.
120	2	Butler.	65	None.	Reynolds.
126	2	Butler.	74	1	Reynolds.
131	2	Butler.	8	1	Reynolds.
125	2	Butler.	6	2	Reynolds.
115	2	Butler.	None	1	Reynolds.
100	2	Butler.	82	2	Reynolds.
128	2	Butler.	81	1	Reynolds.
104	2	Butler.	33	2	Reynolds.
139	2	Butler.	51	1	Reynolds.
111	2	Butler.	27	1	Reynolds.
114	2	Butler.	None	2	Reynolds.
105	2	Butler.	None	2	Reynolds.
138	2	Butler.	None	1	Reynolds.
108	2	Butler.	None	1	Reynolds.
119	2	Butler.	None	1	Reynolds.
133	2	Butler.	56	1	Reynolds.
110	2	Butler.	None	1	Reynolds.
41	2	Butler.	None	2	Reynolds.
127	2	Butler.	None	2	Reynolds.
136	2	Butler.	None	2	Reynolds.
121	2	Butler.	64	2	Reynolds.
122	2	Butler.	59	2	Reynolds.
107	2	Butler.	73	2	Reynolds.
129	2	Butler.	92	2	Reynolds.
99	2	Butler.	102	2	Reynolds.
101	2	Butler.	70	2	Reynolds.
132	2	Butler.	94	2	Reynolds.
124	2	Butler.	None	2	Reynolds.
140	2	Butler.	51	2	Reynolds.
137	2	Butler.	None	2	Reynolds.
134	2	Butler.	69	2	Reynolds.
102	2	Butler.	76	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
75	2	Reynolds.	None	2	Butler.
93	2	Reynolds.	None	None	Butler.
26	2	Reynolds.	90	2	Butler.
77	2	Reynolds.	None	1	Butler.
28	2	Reynolds.	None	None	Butler.
84	2	Reynolds.	None	1	Butler.
79	2	Reynolds.	97	2	Butler.
None	1	Butler.	None	2	Butler.
None	2	Butler.	None	2	Artz.
None	1	Butler.	None	None	Butler.
38	2	Butler.	None	None	Butler.
85	2	Butler.	None	2	Butler.
None	1	Butler.	87	2	Butler.
89	2	Butler.	83	2	Butler.
91	2	Butler.	80	2	Butler.
None	None	Butler.	None	2	Butler.
95	2	Butler.	None	1	Butler.
None	1	Butler.	None	1	Butler.
None	None	Butler.	None	2	Butler.
None	1	Butler.	None	2	Butler.
None	2	Butler.	60	2	Butler.
None	2	Butler.	None	2	Butler.
88	2	Rocker.	36	1	Butler.
53	2	Billsbarrow.	71	1	Butler.
None	1	Nobody.	None	None	Butler.
58	2	Butler.	None	1	Butler.
86	2	Butler.	96	2	Butler.
None	2	Butler.	None	None	Butler.
72	2	Butler.	55	1	Butler.
63	1	Butler.			

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in this box?

A. We have.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast at the election held November 4, 1902, in the city of St. Louis, Mo., in the twelfth precinct of the Twenty-second Ward, in so far as they relate to the election of the Representative to Congress in the Twelfth Congressional district of Missouri for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
81	2	Butler.	116	2	Butler.
64	2	Nobody.	8	2	Butler.
231	2	Butler.	218	2	Reynolds.
107	2	Butler.	229	2	Butler.
260	2	Butler.	235	2	Butler.
135	2	Butler.	36	2	Butler.
None	2	Butler.	220	2	Butler.
257	2	Reynolds.	167	2	Reynolds.
23	2	Butler.	157	2	Butler.
206	2	Nobody.	209	2	Butler.
16	2	Butler.	98	2	Butler.
102	2	Butler.	228	2	Reynolds.
43	2	Reynolds.	236	2	Butler.
150	2	Butler.	103	2	Butler.
213	2	Butler.	11	2	Butler.
None	1	Butler.	199	2	Butler.
114	2	Butler.	95	2	Butler.
207	2	Butler.	177	2	Butler.
188	2	Butler.	147	2	Butler.
170	2	Butler.	25	2	Butler.
191	2	Butler.	248	2	Reynolds.
249	2	Reynolds.	255	2	Reynolds.
250	2	Rocker.	198	2	Reynolds.
148	2	Butler.	208	2	Butler.
130	2	Reynolds.	38	2	Butler.
13	2	Butler.	41	2	Butler.
153	2	Butler.	4	2	Butler.
134	2	Butler.	154	2	Butler.
243	2	Butler.	141	2	Butler.
239	2	Reynolds.	42	2	Butler.
249	2	Reynolds.	61	2	Butler.
7	2	Reynolds.	132	2	Butler.
97	2	Butler.	33	2	Butler.
75	2	Butler.	223	1	Butler.
194	2	Butler.	115	2	Butler.
139	2	Reynolds.	116	2	Butler.
114	2	Butler.	80	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
3	2	Butler.	87	2	Reynolds.
90	2	Butler.	101	2	Reynolds.
55	2	Butler.	172	2	Butler.
184	2	Butler.	197	2	Reynolds.
175	2	Butler.	189	2	Butler.
253	1	Butler.	None	2	Reynolds.
186	2	Butler.	12	2	Butler.
242	2	Butler.	153	2	Butler.
82	2	Butler.	232	2	Butler.
32	2	Butler.	217	2	Butler.
48	2	Butler.	254	2	Butler.
100	2	Butler.	22	2	Butler.
212	2	Butler.	63	2	Reynolds.
138	2	Butler.	85	2	Reynolds.
216	2	Butler.	52	2	Reynolds.
126	2	Butler.	74	2	Reynolds.
266	2	Butler.	66	2	Reynolds.
222	2	Butler.	233	2	Reynolds.
124	2	Butler.	41	2	Reynolds.
173	2	Butler.	41	2	Butler.
161	2	Butler.	214	2	Butler.
83	2	Butler.	14	2	Butler.
215	2	Butler.	15	2	Butler.
224	2	Butler.	56	2	Butler.
54	2	Butler.	60	2	Butler.
57	2	Butler.	106	2	Butler.
210	2	Butler.	53	2	Butler.
110	2	Butler.	109	2	Butler.
227	2	Butler.	221	2	Butler.
252	2	Butler.	49	2	Butler.
28	2	Butler.	108	2	Butler.
91	2	Butler.	168	2	Butler.
142	2	Butler.	202	2	Butler.
164	2	Reynolds.	161	2	Butler.
145	2	Reynolds.	136	2	Butler.
201	2	Reynolds.	195	2	Butler.
122	2	Reynolds.	213	2	Reynolds.
72	2	Artz.	88	2	Reynolds.
196	2	Artz.	258	2	Reynolds.
76	2	Artz.	46	2	Reynolds.
105	2	Reynolds.	159	2	Reynolds.
265	2	Reynolds.	176	2	Butler.
127	2	Reynolds.	35	2	Reynolds.
169	2	Reynolds.	37	2	Reynolds.
175	2	Reynolds.	71	2	Butler.
18	2	Reynolds.	19	2	Butler.
39	2	Reynolds.	129	2	Butler.
230	2	Butler.	157	2	Butler.
113	2	Butler.	79	2	Reynolds.
174	2	Reynolds.	78	2	Reynolds.
6	2	Reynolds.	262	2	Butler.
181	2	Reynolds.	62	2	Reynolds.
211	2	Butler.	225	2	Butler.
237	2	Butler.	57	2	Butler.
125	2	Butler.	67	2	Reynolds.
20	2	Reynolds.	246	2	Nobody.
226	2	Reynolds.	211	2	Reynolds.
128	2	Butler.	111	2	Butler.
162	2	Reynolds.	65	2	Butler.
256	2	Reynolds.	263	2	Butler.
40	2	Reynolds.	86	2	Reynolds.
178	2	Reynolds.	183	2	Butler.
84	2	Reynolds.	123	2	Butler.
245	2	Reynolds.	31	2	Butler.
73	2	Reynolds.	29	2	Butler.
131	2	Reynolds.	45	2	Butler.
17	2	Reynolds.	133	2	Butler.
26	2	Butler.	70	2	Butler.
93	2	Reynolds.	1	2	Reynolds.
99	2	Reynolds.	261	2	Reynolds.
27	2	Reynolds.	259	2	Reynolds.
68	2	Reynolds.	234	2	Reynolds.
77	2	Reynolds.	96	2	Nobody.
30	2	Reynolds.	104	2	Reynolds.
92	2	Nobody.	58	2	Reynolds.
50	2	Reynolds.	21	2	Nobody.
59	2	Butler.	52	2	Nobody.
47	2	Reynolds.	204	2	Nobody.
149	2	Reynolds.	257	2	Nobody.
240	2	Reynolds.	217	2	Nobody.
9	2	Reynolds.	160	2	Butler.
118	2	Reynolds.	117	2	Butler.
192	2	Reynolds.	152	2	Reynolds.
264	2	Reynolds.	158	2	Reynolds.
200	2	Reynolds.	203	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
156	2	Butler.	89	2	Butler.
121	2	Reynolds.	190	2	Butler.
152	2	Butler.	69	2	Butler.
180	2	Butler.	120	2	Reynolds.
119	2	Butler.	193	2	Reynolds.
143	2	Reynolds.	219	2	Butler.
162	2	Butler.	187	2	Butler.
94	2	Butler.	185	2	Reynolds.

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in this box?

A. Yes, sir.

The further taking of these depositions is hereby adjourned to 10 o'clock a. m., February 11, 1903.

[SEAL.]

JAMES D. HALTER,
Notary Public.

My term expires January 11, 1906.

Pursuant to adjournment, as above stated, I resumed the further taking of these depositions at 10 a. m.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in seventh precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a candidate from the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
15	2	Butler.	3	2	Reynolds.
117	2	Butler.	78	2	Reynolds.
103	2	Butler.	80	2	Reynolds.
101	2	Butler.	16	2	Reynolds.
24	2	Reynolds.	28	2	Reynolds.
36	2	Reynolds.	86	2	Reynolds.
110	2	Butler.	77	2	Reynolds.
27	2	Nobody.	2	2	Reynolds.
47	2	Nobody.	75	2	Reynolds.
114	2	Butler.	50	2	Reynolds.
17	2	Rocker.	23	2	Reynolds.
72	2	Butler.	19	2	Reynolds.
88	2	Butler.	4	2	Reynolds.
84	2	Reynolds.	32	2	Reynolds.
1	2	Butler.	31	2	Reynolds.
16	2	Butler.	62	2	Reynolds.
81	2	Butler.	94	2	Reynolds.
38	2	Butler.	48	2	Reynolds.
65	2	Butler.	115	2	Reynolds.
50	2	Butler.	40	1	Reynolds.
8	2	Butler.	9	2	Reynolds.
95	2	Nobody.	85	2	Reynolds.
18	2	Nobody.	107	2	Reynolds.
102	2	Butler.	5	2	Butler.
60	2	Butler.	55	2	Butler.
51	2	Butler.	25	2	Butler.
21	2	Nobody.	10	2	Butler.
68	2	Butler.	116	2	Butler.
92	2	Butler.	82	2	Butler.
53	2	Reynolds.	20	2	Butler.
43	2	Butler.	104	2	Butler.
34	2	Butler.	109	2	Butler.
63	2	Reynolds.	111	2	Butler.
96	2	Nobody.	58	2	Butler.
74	2	Reynolds.	42	2	Butler.
49	2	Reynolds.	113	2	Butler.
68	2	Reynolds.	29	2	Butler.
57	2	Reynolds.	54	2	Butler.
70	2	Reynolds.	41	2	Butler.
67	2	Reynolds.	14	2	Butler.
6	2	Reynolds.	30	2	Butler.
37	2	Butler.	98	2	Butler.
87	2	Butler.	35	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
79	2	Butler.	61	2	Butler.
69	2	Butler.	121	2	Butler.
56	2	Butler.	99	2	Butler.
22	2	Butler.	93	2	Butler.
100	2	Butler.	52	2	Butler.
33	2	Butler.	13	2	Butler.
46	2	Butler.	76	2	Butler.
12	2	Butler.	26	2	Butler.
122	2	Butler.	119	2	Butler.
118	2	Butler.	7	2	Butler.
64	2	Butler.	45	2	Butler.
71	2	Butler.	83	2	Butler.
66	2	Butler.	120	2	Butler.
39	2	Butler.	105	2	Butler.
44	2	Butler.	112	2	Butler.
11	2	Butler.	97	2	Butler.
108	2	Butler.	106	2	Butler.
73	2	Butler.	Top half of above 2 ballots torn off.		
90	2	Butler.			

Mr. HOLTCAMP. Have you examined and counted all the ballots contained in that box?

A. We have.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in fifth precinct of the Twenty-second Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representative to Congress in the Twelfth Congressional district of Missouri to the Fifty-eighth Congress for the long term?

A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
81	2	Butler.	112	2	Butler.
89	2	Butler.	118	2	Butler.
79	2	Butler.	76	2	Butler.
240	2	Butler.	200	2	Butler.
281	2	Butler.	262	2	Butler.
279	2	Butler.	116	2	Butler.
418	2	Butler.	192	2	Butler.
277	2	Butler.	144	2	Butler.
100	2	Butler.	199	2	Butler.
305	2	Butler.	191	2	Butler.
92	2	Butler.	111	2	Butler.
213	2	Butler.	114	2	Butler.
256	2	Butler.	396	2	Butler.
301	2	Butler.	139	2	Butler.
90	2	Butler.	397	2	Butler.
91	2	Butler.	33	2	Butler.
194	2	Butler.	38	2	Butler.
97	2	Butler.	302	2	Butler.
197	2	Butler.	201	2	Butler.
196	2	Butler.	347	2	Butler.
94	2	Butler.	149	2	Butler.
99	2	Butler.	290	2	Butler.
208	2	Butler.	354	2	Butler.
411	2	Butler.	224	2	Butler.
244	2	Butler.	211	2	Butler.
278	2	Butler.	85	2	Butler.
304	2	Butler.	84	2	Butler.
393	2	Butler.	73	2	Butler.
387	2	Butler.	77	2	Butler.
394	2	Butler.	189	2	Butler.
113	2	Butler.	414	2	Butler.
98	2	Butler.	413	2	Butler.
231	2	Butler.	295	2	Butler.
300	2	Butler.	140	2	Butler.
379	2	Butler.	34	2	Butler.
228	2	Butler.	32	2	Butler.
30	2	Butler.	291	2	Butler.
350	2	Butler.	393	2	Butler.
437	2	Butler.	284	2	Butler.
107	2	Butler.	296	2	Butler.
36	2	Butler.	287	2	Butler.
294	2	Butler.	341	2	Butler.
188	2	Butler.	212	2	Butler.
104	2	Butler.	288	2	Butler.
87	2	Butler.	146	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
306	2	Butler.	318	2	Butler.
232	2	Butler.	415	2	Butler.
236	2	Butler.	258	2	Butler.
150	2	Butler.	260	2	Butler.
226	2	Butler.	327	2	Butler.
229	2	Butler.	163	2	Butler.
282	2	Butler.	18	2	Butler.
31	2	Butler.	403	2	Butler.
233	2	Butler.	64	2	Reynolds.
35	2	Butler.	121	2	Reynolds.
297	2	Butler.	310	2	Reynolds.
230	2	Butler.	388	2	Butler.
299	2	Butler.	292	2	Butler.
286	2	Butler.	289	2	Butler.
390	2	Butler.	198	2	Butler.
29	2	Butler.	340	2	Butler.
142	2	Butler.	203	2	Butler.
138	2	Butler.	88	2	Butler.
235	2	Butler.	151	2	Butler.
227	2	Butler.	339	2	Butler.
118	2	Butler.	283	2	Butler.
109	2	Butler.	386	2	Butler.
83	2	Butler.	86	2	Butler.
181	2	Butler.	225	2	Butler.
321	2	Reynolds.	143	2	Butler.
126	2	Reynolds.	412	2	Butler.
156	2	Nobody.	238	2	Butler.
23	2	Butler.	190	2	Butler.
257	2	Reynolds.	241	2	Butler.
320	2	Reynolds.	137	2	Butler.
172	2	Reynolds.	280	2	Butler.
13	2	Reynolds.	148	2	Butler.
133	2	Reynolds.	82	2	Butler.
324	2	Reynolds.	59	2	Nobody.
334	2	Reynolds.	55	2	Reynolds.
335	2	Reynolds.	205	2	Butler.
56	2	Reynolds.	204	2	Butler.
21	2	Reynolds.	12	2	Butler.
215	2	Reynolds.	5	2	Nobody.
214	2	Reynolds.	93	2	Butler.
161	2	Reynolds.	45	2	Butler.
154	2	Reynolds.	303	2	Butler.
3	2	Reynolds.	95	2	Butler.
264	2	Reynolds.	193	2	Butler.
20	2	Reynolds.	185	2	Butler.
317	2	Reynolds.	209	2	Butler.
323	2	Reynolds.	96	2	Butler.
138	2	Reynolds.	203	2	Butler.
70	2	Reynolds.	206	2	Butler.
2	2	Reynolds.	234	2	Butler.
136	2	Reynolds.	237	2	Butler.
246	2	Reynolds.	187	2	Butler.
174	2	Butler.	218	2	Butler.
None	2	Reynolds.	183	2	Butler.
176	2	Reynolds.	243	2	Butler.
122	2	Reynolds.	106	2	Butler.
159	2	Reynolds.	207	2	Butler.
272	2	Reynolds.	30	2	Butler.
155	2	Reynolds.	285	2	Butler.
166	2	Reynolds.	105	2	Butler.
135	2	Reynolds.	239	2	Butler.
42	2	Reynolds.	78	2	Butler.
65	2	Reynolds.	103	2	Butler.
52	2	Reynolds.	195	2	Butler.
307	2	Reynolds.	28	2	Butler.
19	2	Reynolds.	382	2	Butler.
261	2	Reynolds.	383	2	Butler.
222	2	Reynolds.	186	2	Butler.
57	2	Reynolds.	384	2	Butler.
17	2	Reynolds.	398	2	Butler.
39	2	Reynolds.	145	2	Butler.
15	2	Reynolds.	74	2	Butler.
158	2	Reynolds.	101	2	Butler.
273	2	Reynolds.	353	2	Butler.
160	2	Reynolds.	242	2	Butler.
314	2	Reynolds.	98	2	Butler.
173	2	Reynolds.	276	2	Butler.
68	2	Reynolds.	401	2	Butler.
4	2	Reynolds.	405	2	Butler.
336	2	Butler.	330	2	Butler.
409	2	Butler.	11	2	Butler.
167	2	Butler.	132	2	Butler.
63	2	Butler.	40	2	Butler.
404	2	Butler.	32	2	Butler.
None	2	Butler.	51	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
337	2	Butler.	367	2	Butler.
407	2	Butler.	255	2	Butler.
311	2	Reynolds.	361	2	Butler.
315	2	Nobody.	399	2	Butler.
326	2	Reynolds.	269	2	Butler.
162	2	Rocker.	271	2	Butler.
9	2	Rocker.	416	2	Butler.
249	2	Butler.	356	2	Butler.
6	2	Butler.	349	2	Butler.
171	2	Reynolds.	428	2	Butler.
326	2	Butler.	71	2	Butler.
374	2	Butler.	147	2	Butler.
None	2	Butler.	395	2	Butler.
108	2	Butler.	426	2	Butler.
389	2	Butler.	420	2	Butler.
380	2	Butler.	375	2	Butler.
427	2	Butler.	424	2	Butler.
385	2	Butler.	66	2	Butler.
338	2	Butler.	169	2	Butler.
381	2	Butler.	365	2	Butler.
359	2	Butler.	371	2	Butler.
119	2	Butler.	346	2	Butler.
352	2	Butler.	417	2	Butler.
376	2	Butler.	127	2	Butler.
266	2	Butler.	54	2	Butler.
210	2	Butler.	344	2	Butler.
368	2	Butler.	357	2	Butler.
10	2	Butler.	46	2	Butler.
12	2	Reynolds.	50	2	Butler.
252	2	Butler.	102	2	Butler.
27	2	Butler.	363	2	Butler.
12	2	Reynolds.	355	2	Butler.
274	2	Butler.	422	2	Butler.
43	2	Butler.	378	2	Butler.
220	2	Butler.	421	2	Butler.
164	2	Butler.	345	2	Butler.
25	2	Butler.	425	2	Butler.
221	2	Butler.	141	2	Butler.
168	2	Butler.	342	2	Butler.
223	2	Butler.	117	2	Butler.
319	2	Butler.	364	2	Butler.
250	2	Reynolds.	423	2	Butler.
247	2	Butler.	348	2	Butler.
254	2	Butler.	80	2	Butler.
175	2	Butler.	358	2	Butler.
182	2	Butler.	110	2	Butler.
7	2	Butler.	370	2	Butler.
58	2	Butler.	261	2	Butler.
12	2	Butler.	157	2	Butler.
259	2	Butler.	402	2	Butler.
179	2	Butler.	409	2	Butler.
152	2	Butler.	408	2	Butler.
153	2	Butler.	410	2	Butler.
219	2	Butler.	49	2	Butler.
328	2	Butler.	316	2	Artz.
322	2	Butler.	22	2	Nobody.
253	2	Butler.	67	2	Reynolds.
325	2	Butler.	132	2	Reynolds.
1	2	Butler.	44	2	Butler.
373	2	Butler.	177	2	Reynolds.
115	2	Butler.	8	2	Reynolds.
268	2	Butler.	248	2	Reynolds.
308	2	Butler.	181	2	Reynolds.
267	2	Butler.	14	2	Reynolds.
429	2	Butler.	263	2	Reynolds.
343	2	Butler.	309	2	Reynolds.
369	2	Butler.	124	2	Reynolds.
360	2	Butler.	180	2	Reynolds.
392	2	Butler.	178	2	Reynolds.
366	2	Butler.	130	2	Reynolds.
372	2	Butler.	335	2	Reynolds.
312	2	Butler.	62	2	Reynolds.
20	2	Butler.	215	2	Reynolds.
24	2	Butler.	217	2	Reynolds.
60	2	Butler.	41	2	Reynolds.
251	2	Butler.	47	2	Reynolds.
69	2	Butler.	53	2	Reynolds.
329	2	Butler.	125	2	Reynolds.
362	2	Butler.	165	2	Reynolds.
75	2	Butler.	48	2	Butler.
419	2	Butler.	406	2	Butler.
377	2	Butler.	313	2	Reynolds.
351	2	Butler.			

Mr. HOLT CAMP. Have you examined and counted all the ballots contained in that box?

A. Yes, sir.

JOHN ELLSPERMANN, Jr.

STATE OF MISSOURI, *City of St. Louis*:

Subscribed and sworn to before me this 11th day of February, 1903.

[SEAL.]

JAMES D. HALTER, *Notary Public*.

My term expires January 11, 1906.

STATE OF MISSOURI, *City of St. Louis, ss*:

I, James D. Halter, a notary public within and for the city of St. Louis and State of Missouri, duly authorized to take these depositions according to law, do hereby certify that pursuant to a notice dated January 29, 1903, and served on James J. Butler, the contestee, on the same day, and which notice is attached to depositions taken in this cause and certified to by Notary A. R. Russell, the following witnesses, to wit, John Ellspermann, jr., of the city of St. Louis and State of Missouri, came before me in the city hall, in the said city and State, on the 9th day of February, 1903, who was by me sworn to testify the truth, the whole truth, and nothing but the truth, of his knowledge touching the matters in controversy in the contested election case now pending in Congress, wherein George D. Reynolds is contestant and James J. Butler is the contestee for the seat of Representative in the Fifty-eighth Congress from the Twelfth Congressional district for the State of Missouri; that his examination was begun on the 9th day of February, 1903, and continued on the 10th and 11th days of February, 1903, and the same reduced to writing and subscribed by him in my presence on this 11th day of February, 1903, in the city and State aforesaid, and his said deposition is herewith returned.

[SEAL.]

JAMES D. HALTER,
Notary Public, City of St. Louis, Mo.

My term expires January 11, 1906.

Deposition of John Ellspermann, jr., a witness produced, sworn, and examined before me, the undersigned notary public within and for the State of Missouri, and city of St. Louis, and residing within the Twelfth Congressional district of said State, produced, sworn, and examined on the 9th, 10th, and 11th days of February, 1903, at the office and rooms of the board of election commissioners of the city of St. Louis, Mo., in the city hall of said city of St. Louis, in the contested election case now pending before the Fifty-eighth Congress of the United States, from the Twelfth Congressional district of Missouri, wherein George D. Reynolds is the contestant and James J. Butler is the contestee, on behalf of the contestant, George D. Reynolds.

Mr. HOLT CAMP. Will you produce, open, and count the ballots cast in the tenth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representative to Congress in the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the initial, if any, and for whom cast?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
76	2	Reynolds.	33	2	Reynolds.
95	2	Reynolds.	158	2	Reynolds.
17	2	Reynolds.	3	2	Reynolds.
97	2	Reynolds.	156	2	Reynolds.
54	2	Reynolds.	45	2	Reynolds.
96	2	Reynolds.	11	2	Reynolds.
21	2	Reynolds.	128	2	Reynolds.
86	2	Reynolds.	126	2	Reynolds.
88	2	Reynolds.	114	2	Reynolds.
139	2	Reynolds.	18	2	Reynolds.
99	2	Reynolds.	9	2	Reynolds.
26	2	Reynolds.	12	2	Reynolds.
104	2	Reynolds.	4	2	Reynolds.
66	2	Reynolds.	89	2	Reynolds.
135	2	Reynolds.	138	2	Reynolds.
137	2	Reynolds.	24	2	Reynolds.
123	2	Reynolds.	144	2	Reynolds.
47	2	Reynolds.	34	2	Reynolds.
132	2	Reynolds.	153	2	Reynolds.
38	2	Reynolds.	115	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
113	2	Reynolds.	44	2	Butler.
120	2	Reynolds.	141	2	Butler.
111	2	Reynolds.	31	2	Butler.
130	2	Reynolds.	105	2	Butler.
56	2	Reynolds.	102	2	Butler.
79	2	Reynolds.	37	2	Butler.
55	2	Reynolds.	94	2	Butler.
7	2	Reynolds.	131	2	Butler.
8	2	Reynolds.	22	2	Butler.
124	2	Reynolds.	2	2	Butler.
157	2	Reynolds.	25	2	Butler.
64	2	Butler.	30	2	Butler.
80	2	Butler.	87	2	Butler.
112	2	Butler.	20	2	Butler.
59	2	Butler.	5	2	Butler.
81	2	Butler.	1	2	Butler.
154	2	Butler.	36	2	Butler.
41	2	Butler.	122	2	Butler.
152	2	Butler.	63	2	Butler.
85	2	Butler.	43	2	Butler.
83	2	Butler.	49	2	Butler.
117	2	Butler.	107	2	Butler.
129	2	Butler.	39	2	Butler.
146	2	Butler.	13	2	Reynolds.
32	2	Butler.	151	2	Butler.
100	2	Butler.	140	2	Butler.
132	2	Butler.	150	2	Butler.
15	2	Butler.	98	2	Nobody.
61	2	Butler.	60	2	Nobody.
58	2	Butler.	28	2	Nobody.
72	2	Butler.	68	2	Nobody.
91	2	Butler.	67	2	Nobody.
78	2	Butler.	69	2	Nobody.
90	2	Butler.	110	2	Nobody.
73	2	Butler.	142	2	Rocker.
50	2	Butler.	143	2	Butler.
23	2	Butler.	101	2	Butler.
127	2	Butler.	77	2	Butler.
14	2	Butler.	148	2	Butler.
16	2	Butler.	145	2	Butler.
106	2	Butler.	155	2	Butler.
40	2	Butler.	147	2	Butler.
52	2	Butler.	65	2	Butler.
108	2	Butler.	51	2	Butler.
46	2	Butler.	103	2	Nobody.
116	2	Butler.	92	2	Butler.
134	2	Butler.	75	2	Butler.
136	2	Butler.	6	2	Butler.
53	2	Butler.	42	2	Butler.
62	2	Butler.	35	2	Butler.
109	2	Butler.	57	2	Reynolds.
74	2	Butler.	82	2	Butler.
125	2	Butler.	119	2	Butler.
149	2	Butler.	121	2	Rocker.
71	2	Butler.	84	2	Butler.
118	2	Butler.	48	2	Reynolds.
70	2	Butler.	27	2	Butler.
93	2	Butler.	10	2	Butler.
19	2	Butler.			

Mr. HOLT CAMP. Have you examined and counted all the ballots in that box?

A. Yes.

Mr. HOLT CAMP. Will you produce, open, and count the ballots cast in the first precinct of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of Representatives to Congress in the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the initial, if any, and for whom cast?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
48	2	Reynolds.	156	2	Butler.
181	2	Butler.	136	2	Butler.
200	2	Butler.	153	2	Butler.
161	2	Butler.	116	2	Butler.
166	2	Butler.	96	2	Butler.
160	2	Butler.	74	2	Butler.
58	2	Butler.	118	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
8	2	Butler.	41	2	Butler.
12	2	Butler.	133	2	Butler.
223	2	Nobody.	30	2	Butler.
89	2	Rocker.	112	2	Butler.
208	2	Rocker.	198	2	Butler.
159	2	Rocker.	212	2	Butler.
191	2	Artz.	174	2	Butler.
85	2	Artz.	193	2	Butler.
183	2	Artz.	157	2	Butler.
182	2	Artz.	119	2	Butler.
37	2	Artz.	145	2	Butler.
131	2	Reynolds.	110	2	Butler.
104	2	Reynolds.	221	2	Butler.
150	2	Reynolds.	201	2	Butler.
175	2	Reynolds.	132	2	Butler.
99	2	Reynolds.	225	2	Butler.
83	2	Reynolds.	167	2	Butler.
55	2	Reynolds.	203	2	Butler.
80	2	Reynolds.	144	2	Butler.
57	2	Reynolds.	146	2	Butler.
38	2	Reynolds.	142	2	Butler.
106	2	Butler.	137	2	Butler.
152	2	Butler.	190	2	Butler.
117	2	Butler.	81	2	Butler.
47	2	Butler.	71	2	Butler.
122	2	Butler.	109	2	Butler.
179	2	Butler.	64	2	Butler.
151	2	Reynolds.	171	2	Butler.
196	2	Reynolds.	139	2	Butler.
90	2	Reynolds.	82	2	Butler.
141	2	Reynolds.	162	2	Butler.
168	2	Reynolds.	185	2	Butler.
111	2	Reynolds.	149	2	Butler.
63	2	Butler.	49	2	Butler.
10	2	Reynolds.	43	2	Butler.
211	2	Reynolds.	31	2	Butler.
103	2	Reynolds.	16	2	Butler.
130	2	Reynolds.	1	2	Butler.
187	2	Reynolds.	148	2	Butler.
124	2	Reynolds.	94	2	Butler.
147	2	Reynolds.	105	2	Butler.
207	2	Butler.	138	2	Butler.
189	2	Butler.	69	2	Butler.
67	2	Butler.	163	2	Butler.
114	2	Butler.	135	2	Butler.
54	2	Butler.	188	2	Butler.
42	2	Butler.	169	2	Butler.
40	2	Butler.	140	2	Butler.
26	2	Butler.	32	2	Butler.
165	2	Reynolds.	33	2	Butler.
86	2	Butler.	25	2	Butler.
191	2	Butler.	11	2	Butler.
88	2	Reynolds.	21	2	Butler.
184	2	Butler.	204	2	Reynolds.
125	2	Reynolds.	100	2	Reynolds.
93	2	Butler.	219	2	Reynolds.
199	2	Butler.	217	2	Reynolds.
218	2	Butler.	178	2	Reynolds.
5	2	Artz.	113	2	Butler.
214	2	Bilsbarrow.	17	2	Butler.
173	2	Butler.	23	2	Butler.
172	2	Butler.	18	2	Butler.
77	2	Butler.	19	2	Butler.
68	2	Butler.	2	2	Butler.
197	2	Butler.	81	2	Butler.
158	2	Butler.	15	2	Butler.
46	2	Butler.	70	2	Butler.
41	2	Butler.	4	2	Butler.
73	2	Butler.	29	2	Butler.
91	2	Butler.	170	2	Butler.
123	2	Butler.	51	2	Butler.
35	2	Butler.	6	2	Butler.
62	2	Butler.	53	2	Butler.
210	2	Butler.	72	2	Butler.
209	2	Butler.	206	2	Butler.
115	2	Butler.	14	2	Butler.
66	2	Butler.	195	2	Reynolds.
108	2	Butler.	215	2	Reynolds.
202	2	Butler.	220	2	Reynolds.
164	2	Butler.	27	2	Reynolds.
50	2	Butler.	224	2	Reynolds.
79	2	Butler.	222	2	Reynolds.
39	2	Butler.	107	2	Reynolds.
59	2	Butler.	129	2	Reynolds.
128	2	Butler.	154	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
213	2	Reynolds.	177	2	Reynolds.
3	2	Reynolds.	192	2	Reynolds.
24	2	Reynolds.	186	2	Reynolds.
65	2	Reynolds.	60	2	Reynolds.
78	2	Reynolds.	155	2	Butler.
45	2	Reynolds.	34	2	Reynolds.
120	2	Reynolds.	76	2	Butler.
126	2	Reynolds.	92	2	Reynolds.
97	2	Reynolds.	28	2	Reynolds.
9	2	Reynolds.	22	2	Reynolds.
52	2	Reynolds.	75	2	Reynolds.
56	2	Reynolds.	7	2	Reynolds.
134	2	Reynolds.	13	2	Reynolds.
205	2	Reynolds.	84	2	Reynolds.
98	2	Reynolds.	102	2	Reynolds.
216	2	Reynolds.	20	2	Reynolds.
101	2	Reynolds.	127	2	Reynolds.
143	2	Reynolds.	36	2	Reynolds.

Q. Have you examined all the ballots contained in the box?—A. Yes, sir.

Not being able to complete the taking of depositions, we now adjourn until 2 o'clock p. m.

J. T. SANDERS, *Notary Public*.

Pursuant to adjournment, now at 2 o'clock p. m., we resume the taking of depositions.

Appearances for the contestant, W. M. Kinsey, Charles W. Holtcamp. For the contestee, none.

Mr. KINSEY. Will you now produce, open, and count the ballots cast in the fifth precinct of the Fourth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?—A. I will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
27	2	Butler.	159	2	Reynolds.
96	2	Butler.	154	2	Reynolds.
133	2	Butler.	22	2	Reynolds.
263	2	Butler.	192	2	Reynolds.
136	2	Butler.	168	2	Reynolds.
6	2	Butler.	169	2	Reynolds.
36	2	Butler.	33	2	Reynolds.
11	2	Butler.	34	2	Reynolds.
116	2	Butler.	27	2	Butler.
5	2	Butler.	56	2	Butler.
129	2	Butler.	205	2	Butler.
137 (on face of ballot)	2	Butler.	104	2	Butler.
150	2	Butler.	40	2	Butler.
165	2	Butler.	181	2	Butler.
160	2	Butler.	178	2	Butler.
142	2	Butler.	82	2	Butler.
149	2	Butler.	49	2	Butler.
161	2	Butler.	60	2	Butler.
157	2	Butler.	28	2	Butler.
144	2	Butler.	91	2	Butler.
172	2	Butler.	39	2	Butler.
165	2	Butler.	23	2	Butler.
166	2	Reynolds.	9	2	Butler.
304	2	Butler.	16	2	Butler.
225	2	Butler.	219	2	Butler.
118	2	Butler.	41	2	Butler.
251	2	Butler.	74	2	Butler.
202	2	Butler.	99	2	Butler.
18	2	Reynolds.	101	2	Butler.
48	2	Reynolds.	84	2	Butler.
1	2	Reynolds.	75	2	Butler.
44	2	Reynolds.	46	2	Butler.
78	2	Reynolds.	14	2	Butler.
10	2	Reynolds.	32	2	Butler.
173	2	Reynolds.	69	2	Butler.
7	2	Reynolds.	183	2	Butler.
54	2	Reynolds.	180	2	Butler.
53	2	Reynolds.	92	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
90	2	Butler.	234	1	Butler.
179	2	Butler.	17	2	Butler.
98	2	Butler.	107	2	Butler.
77	2	Butler.	97	2	Butler.
152	2	Butler.	337	2	Butler.
50	2	Reynolds.	338	2	Butler.
3	2	Reynolds.	283	2	Butler.
15	2	Reynolds.	298	2	Butler.
4	2	Reynolds.	302	2	Butler.
52	2	Reynolds.	311	2	Butler.
42	2	Butler.	303	2	Butler.
24	2	Nobody.	269	2	Butler.
26	2	Butler.	257	2	Butler.
20	2	Butler.	296	2	Butler.
12	2	Butler.	295	2	Butler.
145	2	Butler.	328	2	Butler.
280	2	Butler.	329	2	Butler.
290	2	Butler.	318	2	Butler.
275	2	Butler.	306	2	Butler.
291	2	Volker.	274	2	Butler.
277	2	Butler.	356	2	Butler.
140	2	Butler.	349	2	Butler.
164	2	Nobody.	314	2	Butler.
278	2	Wm. Bilsbar- row.	57	2	Butler.
247	2	Nobody.	128	2	Butler.
266	2	Nobody.	64	2	Butler.
80	2	Butler.	85	2	Butler.
51	2	Butler.	103	2	Butler.
8	2	Butler.	123	2	Butler.
9	2	Butler.	72	2	Butler.
334	2	Butler.	134	2	Butler.
324	2	Butler.	122	2	Butler.
355	2	Butler.	83	2	Butler.
331	2	Butler.	29	2	Butler.
345	2	Butler.	130	2	Butler.
345	2	Butler.	141	2	Butler.
340	2	Butler.	124	2	Butler.
289	2	Butler.	100	2	Butler.
330	2	Butler.	131	2	Butler.
346	2	Butler.	112	2	Butler.
321	2	Butler.	214	2	Butler.
351	2	Butler.	86	2	Butler.
336	2	Butler.	121	2	Butler.
342	2	Butler.	106	2	Butler.
354	2	Butler.	126	2	Butler.
337	2	Butler.	108	2	Butler.
271	2	Butler.	93	2	Butler.
301	2	Butler.	89	2	Butler.
350	2	Butler.	158	2	Butler.
297	2	Butler.	67	2	Butler.
348	2	Butler.	109	2	Butler.
15	2	Butler.	120	2	Butler.
309	2	Butler.	61	2	Butler.
233	2	Butler.	87	2	Butler.
79	2	Butler.	88	2	Butler.
320	2	Butler.	62	2	Butler.
265	2	Butler.	135	2	Butler.
237	2	Butler.	43	2	Butler.
316	2	Butler.	70	2	Butler.
259	2	Butler.	13	2	Butler.
305	2	Butler.	197	2	Butler.
228	2	Butler.	14	2	Butler.
148	2	Butler.	116	2	Butler.
276	2	Butler.	63	2	Butler.
245	2	Butler.	209	2	Butler.
312	2	Butler.	125	2	Butler.
348	2	Butler.	25	2	Nobody.
331	2	Butler.	95	2	Butler.
347	2	Butler.	127	2	Butler.
315	1	Butler.	21	2	Butler.
353	2	Butler.	94	2	Butler.
339	2	Butler.	19	2	Butler.
286	2	Butler.	153	2	Butler.
243	2	Butler.	114	2	Butler.
246	2	Butler.	326	2	Butler.
254	2	Butler.	293	2	Butler.
215	2	Butler.	282	2	Butler.
170	2	Butler.	312	2	Butler.
177	2	Butler.	300	2	Butler.
68	2	Butler.	255	2	Butler.
279	2	Butler.	99	2	Butler.
285	2	Butler.	323	2	Butler.
264	2	Butler.	111	2	Butler.
224	2	Butler.	326	2	Butler.
			251	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
242	2	Butler.	176	2	Butler.
240	2	Butler.	73	2	Butler.
288	2	Butler.	143	2	Butler.
313	2	Butler.	66	2	Butler.
281	2	Butler.	184	2	Butler.
310	2	Butler.	223	2	Butler.
256	2	Butler.	65	2	Butler.
230	2	Butler.	194	2	Butler.
185	2	Butler.	132	2	Butler.
327	2	Butler.	193	2	Butler.
341	2	Butler.	182	2	Butler.
308	2	Butler.	38	2	Butler.
167	2	Butler.	211	2	Butler.
284	1	Butler.	212	2	Butler.
151	2	Butler.	105	2	Butler.
344	2	Butler.	208	2	Butler.
319	1	Butler.	81	2	Butler.
113	2	Butler.	203	2	Butler.
287	2	Butler.	240	2	Butler.
294	2	Butler.	216	1	Butler.
147	2	Butler.	232	2	Butler.
270	2	Butler.	201	2	Butler.
272	2	Butler.	196	2	Butler.
102	2	Butler.	206	2	Butler.
322	2	Butler.	207	2	Butler.
318	2	Butler.	213	2	Butler.
268	2	Butler.	253	2	Butler.
260	2	Butler.	175	2	Butler.
76	2	Butler.	162	2	Butler.
267	2	Butler.	220	2	Butler.
190	2	Butler.	235	2	Butler.
261	2	Butler.	210	2	Butler.
155	2	Butler.	189	2	Butler.
262	2	Butler.	217	2	Butler.
21	2	Butler.	198	2	Butler.
117	2	Butler.	333	2	Butler.
258	2	Butler.	None	2	Butler.
292	2	Butler.	35	2	Butler.
37	2	Butler.	248	2	Butler.
139	2	Butler.	115	2	Butler.
236	2	Butler.	199	2	Butler.
188	2	Butler.	221	2	Butler.
59	2	Butler.	218	2	Butler.
231	2	Butler.	249	2	Butler.
171	2	Butler.	222	2	Butler.
200	2	Butler.	252	2	Butler.
238	2	Butler.	241	2	Butler.
191	2	Butler.	187	2	Butler.
245	2	Butler.	226	2	Butler.
47	2	Butler.	195	2	Butler.
174	2	Butler.	75	2	Butler.
30	2	Butler.	None	2	Butler.
186	2	Butler.	138	2	Butler.
110	2	Butler.			

Mr. HOLT CAMP. Have you examined all the ballots contained in that box?

A. Yes, sir.

Mr. HOLT CAMP. Will you now produce, open, and count the ballots cast in the sixth precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
33	2	Butler.	118	1	Butler.
79	1	Butler.	97	1	Butler.
15	2	Butler.	104	1	Butler.
69	2	Butler.	129	2	Butler.
75	1	Butler.	139	2	Butler.
56	2	Butler.	72	1	Butler.
148	2	Butler.	82	1	Butler.
85	2	Butler.	97	None.	Butler.
52	2	Butler.	99	1	Butler.
63	2	Butler.	83	1	Butler.
119	1	Butler.	91	1	Butler.
61	2	Butler.	90	1	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
98	1	Butler.	136	2	Reynolds.
125	1	Butler.	135	1	Nobody.
107	1	Butler.	10	1	Butler.
109	1	Butler.	53	1	Butler.
120	None.	Butler.	41	2	Butler.
108	2	Butler.	144	2	Butler.
173	1	Butler.	25	2	Reynolds.
122	1	Butler.	8	2	Butler.
115	1	Butler.	155	2	Butler.
81	1	Butler.	137	2	Reynolds.
105	2	Butler.	47	2	Nobody.
103	1	Butler.	6	2	Reynolds.
132	1	Butler.	7	2	Reynolds.
117	1	Butler.	30	2	Butler.
96	1	Butler.	4	2	Reynolds.
106	1	Butler.	147	2	Butler.
84	1	Butler.	162	2	Nobody.
80	None.	Butler.	3	2	Reynolds.
128	1	Butler.	41	2	Butler.
121	1	Butler.	158	2	Butler.
101	1	Butler.	141	2	Butler.
100	1	Butler.	40	2	Butler.
130	2	Butler.	149	1	Butler.
36	2	Butler.	150	2	Butler.
156	2	Butler.	152	2	Butler.
114	1	Butler.	102	1	Butler.
126	1	Butler.	146	1	Butler.
124	1	Butler.	133	2	Butler.
63	2	Butler.	163	2	Butler.
19	2	Butler.	55	2	Butler.
34	2	Butler.	26	2	Butler.
93	1	Butler.	14	2	Butler.
116	1	Butler.	65	2	Butler.
18	2	Butler.	17	2	Butler.
21	2	Butler.	42	1	Butler.
92	1	Butler.	43	2	Butler.
31	2	Butler.	13	2	Butler.
62	1	Butler.	48	2	Butler.
32	2	Butler.	1	2	Artz.
11	2	Butler.	66	2	Artz.
No	2	Butler.	134	2	Reynolds.
36	1	Butler.	57	2	Reynolds.
16	1	Butler.	151	2	Reynolds.
123	1	Butler.	143	2	Reynolds.
64	2	Butler.	138	2	Reynolds.
15	1	Butler.	157	2	Reynolds.
49	1	Butler.	159	2	Reynolds.
71	1	Butler.	29	2	Butler.
77	1	Butler.	153	2	Butler.
51	2	Butler.	142	2	Reynolds.
37	2	Butler.	154	2	Reynolds.
73	1	Butler.	2	2	Reynolds.
78	1	Butler.	28	2	Reynolds.
50	2	Butler.	145	2	Reynolds.
94	1	Butler.	127	1	Reynolds.
35	2	Butler.	160	2	Reynolds.
39	2	Butler.	12	2	Reynolds.
45	2	Butler.	58	2	Reynolds.
76	2	Butler.	5	2	Reynolds.
111	None.	Butler.	140	2	Reynolds.
110	1	Butler.	161	2	Reynolds.
70	2	Butler.	4	2	Butler.
60	2	Butler.	22	2	Butler.
21	2	Butler.	67	2	Butler.
87	1	Butler.	38	2	Butler.
20	1	Butler.	59	2	Butler.
6	2	Butler.	The upper half of the above 5 ballots is missing.		
74	1	Butler.	46	None.	Nobody.
83 (on face of ballot)	1	Butler.	The lower half of this ballot is missing.		

Q. Have you examined all the ballots contained in that box?—A. Yes, sir.

Mr. HOLT CAMP. Will you now produce, open, and count the ballots cast in the fourth precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
206	2	Reynolds.	194	2	Butler.
52	2	Reynolds.	142	2	Butler.
208	2	Reynolds.	257	2	Butler.
239	2	Reynolds.	120	2	Butler.
243	2	Reynolds.	35	2	Butler.
213	2	Reynolds.	72	2	Butler.
70	2	Reynolds.	94	2	Butler.
105	2	Reynolds.	67	2	Butler.
246	2	Reynolds.	160	2	Butler.
40	2	Reynolds.	33	2	Reynolds.
21	2	Reynolds.	212	2	Butler.
211	2	Reynolds.	121	2	Butler.
217	2	Reynolds.	41	2	Butler.
221	2	Reynolds.	119	2	Butler.
74	2	Reynolds.	37	2	Butler.
231	2	Reynolds.	36	2	Butler.
228	2	Reynolds.	158	2	Butler.
209	2	Reynolds.	255	2	Butler.
89	2	Reynolds.	161	2	Butler.
223	2	Reynolds.	58	2	Butler.
3	2	Reynolds.	97	2	Butler.
50	2	Reynolds.	93	2	Butler.
48	2	Reynolds.	122	2	Butler.
16	2	Reynolds.	143	2	Butler.
54	2	Reynolds.	166	2	Butler.
200	2	Reynolds.	184	2	Butler.
227	2	Reynolds.	139	2	Butler.
15	2	Reynolds.	169	2	Butler.
99	2	Reynolds.	24	2	Butler.
202	2	Reynolds.	91	2	Butler.
53	2	Reynolds.	34	2	Butler.
44	2	Reynolds.	185	2	Butler.
234	2	Reynolds.	114	2	Butler.
46	2	Reynolds.	103	2	Butler.
226	2	Reynolds.	110	2	Butler.
106	2	Reynolds.	251	2	Butler.
171	2	Reynolds.	147	2	Butler.
233	2	Reynolds.	132	2	Butler.
32	2	Reynolds.	88	2	Butler.
20	2	Reynolds.	180	2	Butler.
197	2	Reynolds.	38	2	Butler.
95	2	Reynolds.	133	2	Butler.
235	2	Reynolds.	1	2	Butler.
252	2	Reynolds.	96	2	Butler.
30	2	Reynolds.	216	2	Butler.
205	2	Reynolds.	261	2	Butler.
218	2	Reynolds.	118	2	Butler.
181	2	Butler.	198	2	Butler.
112	2	Butler.	79	2	Butler.
165	2	Butler.	86	2	Butler.
247	2	Butler.	263	2	Butler.
107	2	Butler.	77	2	Butler.
39	2	Butler.	90	2	Butler.
69	1	Butler.	29	2	Butler.
36	2	Butler.	5	2	Butler.
42	2	Butler.	66	2	Reynolds.
191	2	Butler.	130	2	Reynolds.
60	2	Butler.	248	2	Reynolds.
222	2	Butler.	173	2	Butler.
2	2	Butler.	74	2	Reynolds.
22	2	Rocker.	192	2	Nobody.
140	2	Butler.	201	2	Wagoner.
170	2	Butler.	164	2	Butler.
4	2	Butler.	131	2	Artz.
6	2	Butler.	17	1	Butler.
61	2	Butler.	167	2	Butler.
28	2	Reynolds.	128	2	Butler.
232	2	Butler.	134	2	Butler.
244	2	Butler.	166	2	Butler.
100	2	Butler.	228	2	Butler.
210	2	Butler.	81	2	Butler.
224	2	Butler.	245	2	Reynolds.
152	2	Butler.	None	2	Butler.
7	2	Butler.	71	2	Butler.
127	2	Butler.	204	2	Butler.
190	2	Butler.	242	2	Butler.
8	2	Butler.	51	2	Butler.
187	2	Butler.	43	2	Reynolds.
148	2	Butler.	215	2	Reynolds.
135	2	Butler.	207	2	Reynolds.
18	2	Butler.	198	2	Reynolds.
174	2	Butler.	3	2	Reynolds.
145	2	Butler.	25	2	Reynolds.
81	2	Butler.	63	2	Reynolds.
None	2	Butler.	76	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
199	2	Reynolds.	172	2	Butler.
64	2	Butler.	55	2	Butler.
172	2	Butler.	102	2	Butler.
68	2	Butler.	78	2	Butler.
104	2	Butler.	109	2	Butler.
196	2	Butler.	256	2	Butler.
80	2	Butler.	85	2	Butler.
23	2	Butler.	62	2	Butler.
219	2	Butler.	98	2	Butler.
237	2	Butler.	182	2	Butler.
180	1	Butler.	168	2	Butler.
236	2	Butler.	83	2	Butler.
59	2	Butler.	10	2	Butler.
203	2	Butler.	56	2	Butler.
241	1	Butler.	149	2	Butler.
13	2	Butler.	230	2	Butler.
157	2	Butler.	82	2	Butler.
19	2	Nobody.	111	2	Butler.
9	2	Butler.	175	2	Butler.
193	2	Butler.	259	2	Butler.
183	2	Butler.	151	2	Butler.
11	2	Butler.	262	2	Butler.
179	1	Butler.	57	2	Butler.
150	2	Butler.	26	2	Butler.
229	2	Butler.	250	2	Butler.
176	2	Butler.	249	2	Butler.
156	2	Butler.	220	2	Butler.
87	2	Butler.	115	2	Butler.
75	2	Butler.	155	2	Butler.
144	2	Butler.	141	2	Butler.
253	2	Butler.	195	2	Butler.
47	2	Butler.	189	2	Butler.
113	2	Butler.	188	2	Butler.
117	2	Butler.	14	2	Butler.
153	2	Butler.	146	2	Butler.
178	2	Butler.	159	2	Butler.
292	2	Butler.	214	2	Butler.
25	2	Butler.	27	2	Butler.
127	2	Butler.	12	2	Butler.
123	2	Butler.	162	2	Butler.
101	2	Butler.	126	2	Butler.
216	2	Butler.	258	2	Butler.
137	2	Butler.	254	2	Butler.
116	2	Butler.	129	2	Butler.
65	2	Butler.	121	2	Reynolds.
49	2	Butler.	154	2	Butler.
15	2	Butler.			

Mr. HOLTCAMP. Have you examined all the ballots contained in that box?
A. I have.

Not being able to conclude the taking of depositions, I now adjourn until 9 o'clock to-morrow morning, February 10, 1903.

J. T. SANDERS, *Notary Public.*

Pursuant to adjournment, February 10, 1903, we now resume the taking of depositions.

Mr. TASSIG:

Q. Will you now produce, open, and count the ballots cast in the first precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?—A. Yes, sir.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
None	None.	Butler.	50	2	Nobody.
31	2	Butler.	6	2	Artz.
78	2	Butler.	3	2	Artz.
61	2	Butler.	86	2	Rocker.
131	2	Butler.	118	2	Rocker.
148	2	Nobody.	125	2	Rocker.
47	2	Nobody.	80	2	Rocker.
95	2	Nobody.	49	2	Rocker.
55	2	Nobody.	98	2	Bilsbarrow.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
120	2	Rocker.	40	2	Butler.
99	2	Rocker.	43	2	Butler.
94	2	Reynolds.	36	2	Butler.
92	2	Reynolds.	63	2	Butler.
88	2	Reynolds.	39	2	Butler.
149	2	Reynolds.	117	2	Butler.
151	2	Reynolds.	4	2	Butler.
52	2	Reynolds.	106	2	Butler.
75	2	Reynolds.	14	2	Butler.
144	2	Reynolds.	105	2	Butler.
35	2	Reynolds.	134	2	Butler.
73	2	Reynolds.	34	2	Butler.
67	2	Reynolds.	29	2	Butler.
57	2	Reynolds.	111	2	Butler.
27	2	Reynolds.	9	2	Butler.
25	2	Reynolds.	136	2	Butler.
121	2	Reynolds.	71	2	Butler.
28	2	Reynolds.	77	2	Butler.
22	2	Reynolds.	107	2	Butler.
8	2	Reynolds.	84	2	Butler.
18	2	Reynolds.	114	2	Butler.
74	2	Reynolds.	127	2	Butler.
48	2	Reynolds.	109	2	Butler.
16	2	Reynolds.	96	2	Butler.
1	2	Reynolds.	83	2	Butler.
82	2	Reynolds.	46	2	Butler.
33	2	Reynolds.	108	2	Butler.
17	2	Reynolds.	15	2	Butler.
132	2	Reynolds.	138	2	Butler.
126	2	Reynolds.	59	2	Butler.
2	b2	Reynolds.	87	2	Butler.
24	2	Reynolds.	100	2	Butler.
129	2	Reynolds.	91	2	Butler.
89	2	Reynolds.	53	2	Butler.
79	2	Reynolds.	76	2	Butler.
11	2	Reynolds.	141	2	Butler.
124	2	Reynolds.	68	2	Butler.
111	2	Reynolds.	97	2	Butler.
130	2	Reynolds.	90	2	Butler.
137	2	Butler.	13	2	Butler.
143	2	Reynolds.	139	2	Butler.
112	2	Butler.	21	2	Butler.
58	2	Butler.	101	2	Butler.
11	2	Butler.	102	2	Butler.
10	2	Butler.	26	2	Butler.
37	2	Butler.	113	2	Butler.
116	2	Butler.	135	2	Butler.
7	2	Butler.	30	2	Butler.
19	2	Butler.	93	2	Butler.
12	2	Butler.	133	2	Butler.
20	2	Butler.	51	2	Butler.
103	2	Butler.	None	2	Butler.
41	2	Butler.	60	2	Butler.
38	2	Butler.	12	2	Butler.
23	2	Butler.	62	2	Butler.
122	2	Butler.	69	2	Butler.
66	2	Butler.	70	2	Butler.
45	2	Butler.	115	2	Butler.
56	b2	Butler.	119	2	Butler.
65	2	Butler.	140	2	Butler.
32	2	Butler.	123	2	Butler.
54	2	Reynolds.	150	2	Butler.
104	2	Butler.	64	2	Butler.
128	2	Butler.	81	2	Butler.
154	2	Butler.	146	2	Butler.
4	2	Butler.	72	2	Butler.
147	2	Butler.	85	2	Butler.
145	2	Butler.	153	2	Butler.
44	2	Butler.			

The upper half of this ballot is missing.

Q. Have you counted and examined all the ballots contained in that box?—A. We have.

Q. Will you now produce, open, and count the ballots cast in the fifth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
100	2	Butler.	28	2	Butler.
213	2	Butler.	179	2	Butler.
225	2	Butler.	162	2	Butler.
54	2	Butler.	148	2	Butler.
36	2	Butler.	120	2	Butler.
118	2	Butler.	180	2	Butler.
35	2	Butler.	73	2	Butler.
25	2	Butler.	60	2	Butler.
196	2	Butler.	139	2	Butler.
227	2	Butler.	86	2	Butler.
22	2	Butler.	91	2	Butler.
92	2	Butler.	215	2	Butler.
123	2	Butler.	98	2	Butler.
None	2	Butler.	203	2	Butler.
38	2	Butler.	145	2	Butler.
72	2	Butler.	117	2	Butler.
31	2	Butler.	18	2	Butler.
130	2	Butler.	87	2	Butler.
8	2	Butler.	18	2	Butler.
32	2	Butler.	69	2	Butler.
70	2	Butler.	68	2	Butler.
32	2	Butler.	191	2	Butler.
71	2	Butler.	7	2	Butler.
13	2	Butler.	147	2	Reynolds.
226	2	Butler.	27	2	Reynolds.
29	2	Butler.	163	2	Reynolds.
59	2	Butler.	46	2	Reynolds.
175	2	Butler.	23	2	Reynolds.
49	2	Butler.	166	2	Reynolds.
222	2	Butler.	61	2	Reynolds.
223	2	Butler.	188	2	Reynolds.
199	2	Butler.	24	2	Reynolds.
128	2	Butler.	183	2	Reynolds.
31	2	Butler.	102	2	Reynolds.
231	2	Butler.	17	2	Reynolds.
11	2	Butler.	170	2	Reynolds.
80	2	Butler.	103	2	Reynolds.
220	2	Butler.	211	2	Reynolds.
6	2	Butler.	146	2	Reynolds.
192	2	Butler.	186	2	Reynolds.
177	2	Butler.	202	2	Reynolds.
50	2	Butler.	178	2	Reynolds.
156	2	Butler.	171	2	Reynolds.
210	2	Butler.	164	2	Reynolds.
131	2	Butler.	167	2	Reynolds.
119	2	Butler.	153	2	Butler.
218	2	Butler.	12	2	Butler.
90	2	Butler.	116	2	Butler.
3	2	Butler.	79	2	Reynolds.
216	2	Butler.	26	2	Reynolds.
169	2	Butler.	114	1	Reynolds.
219	2	Butler.	184	2	Butler.
181	2	Butler.	200	2	Reynolds.
2	2	Butler.	182	2	Butler.
187	2	Butler.	172	2	Reynolds.
197	2	Butler.	198	2	Butler.
229	2	Butler.	173	2	Reynolds.
161	2	Butler.	89	2	Reynolds.
152	2	Butler.	58	2	Butler.
15	2	Butler.	174	2	Reynolds.
9	2	Butler.	65	2	Butler.
81	2	Butler.	193	2	Butler.
16	2	Butler.	67	2	Butler.
4	2	Butler.	190	2	Butler.
41	2	Butler.	149	2	Butler.
155	2	Butler.	151	2	Butler.
96	2	Butler.	154	2	Butler.
30	2	Butler.	150	2	Butler.
51	2	Butler.	157	2	Butler.
108	2	Butler.	127	2	Butler.
107	2	Butler.	160	2	Butler.
45	2	Butler.	76	2	Butler.
109	2	Butler.	158	2	Butler.
53	2	Butler.	141	2	Butler.
94	2	Butler.	209	2	Butler.
21	2	Butler.	33	2	Butler.
224	2	Butler.	124	2	Butler.
1	2	Butler.	133	2	Butler.
71	2	Butler.	129	2	Butler.
165	2	Butler.	121	2	Butler.
75	2	Butler.	78	2	Butler.
52	2	Butler.	10	2	Butler.
95	2	Butler.	101	2	Butler.
28	2	Butler.	111	2	Butler.
30	2	Butler.	112	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
20	2	Butler.	51	2	Butler.
113	2	Butler.	42	2	Butler.
134	2	Butler.	140	2	Butler.
194	2	Reynolds.	19	2	Butler.
99	2	Butler.	40	2	Butler.
105	2	Butler.	37	2	Butler.
137	2	Butler.	126	2	Butler.
106	2	Butler.	168	2	Reynolds.
110	2	Butler.	122	2	Butler.
77	2	Butler.	82	2	Butler.
192	2	Butler.	47	2	Butler.
97	2	Butler.	138	2	Butler.
104	2	Butler.	88	2	Butler.
66	2	Butler.	185	2	Butler.
125	2	Butler.	63	2	Butler.
189	2	Butler.	83	2	Butler.
195	2	Butler.	95	2	Butler.
176	2	Butler.	209	2	Butler.
144	2	Butler.	221	2	Butler.
205	2	Butler.	43	2	Butler.
93	2	Butler.	135	2	Butler.
208	2	Butler.	143	2	Butler.
136	2	Butler.	201	2	Butler.
204	2	Butler.	217	1	Nobody.
115	2	Butler.	207	1	Billsbarrow.
56	2	Butler.	212	1	Billsbarrow.
57	2	Butler.	214	1	Rocker.
84	2	Butler.	206	1	Artz.
39	2	Butler.			

Q. Have you examined all the ballots contained in that box?—A. Yes, sir.

By Mr. HOLT CAMP:

Q. Will you now produce, open, and count the ballots cast in the sixth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
143	2	Butler.	215	2	Butler.
249	2	Butler.	37	2	Butler.
148	2	Butler.	190	2	Butler.
128	2	Reynolds.	111	2	Butler.
62	2	Reynolds.	5	2	Butler.
26	2	Butler.	211	2	Butler.
246	2	Butler.	216	2	Butler.
147	2	Reynolds.	15	2	Reynolds.
102	2	Reynolds.	50	2	Reynolds.
106	2	Reynolds.	86	2	Reynolds.
10	2	Reynolds.	179	2	Butler.
97	2	Butler.	217	2	Reynolds.
20	2	Butler.	193	2	Reynolds.
153	2	Butler.	100	2	Rocker.
173	2	Butler.	182	2	Billsbarrow.
31	2	Butler.	59	2	Artz.
27	2	Butler.	34	2	Rocker.
67	2	Butler.	78	2	Rocker.
222	2	Butler.	3	2	Reynolds.
223	2	Butler.	65	2	Butler.
221	2	Butler.	11	2	Butler.
22	2	Butler.	29	2	Butler.
56	2	Butler.	58	2	Butler.
154	2	Butler.	171	2	Butler.
85	2	Butler.	16	2	Butler.
224	2	Butler.	210	2	Butler.
212	2	Butler.	131	2	Butler.
130	2	Butler.	108	2	Butler.
225	2	Butler.	129	2	Butler.
33	2	Butler.	204	2	Reynolds.
220	2	Butler.	128	2	Reynolds.
30	2	Reynolds.	175	2	Reynolds.
25	2	Reynolds.	126	2	Reynolds.
35	2	Butler.	238	2	Reynolds.
73	2	Butler.	252	2	Reynolds.
95	2	Butler.	160	2	Reynolds.
142	2	Butler.	52	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
9	2	Reynolds.	61	2	Reynolds.
212 (on face of ballot)	2	Reynolds.	177	2	Reynolds.
51	2	Butler.	199	2	Reynolds.
116	2	Butler.	112	2	Reynolds.
189	2	Butler.	138	2	Reynolds.
63	2	Butler.	11	2	Reynolds.
213	2	Butler.	8	2	Reynolds.
181	2	Butler.	93	2	Reynolds.
117	2	Butler.	66 (on face of ballot)	2	Reynolds.
168	1	Butler.	23	2	Reynolds.
150	2	Butler.	1	2	Butler.
164	2	Butler.	21	2	Butler.
27	2	Butler.	201	2	Butler.
38	2	Butler.	70	2	Butler.
123	2	Butler.	14	2	Butler.
156	2	Butler.	191	2	Butler.
232	2	Butler.	183	2	Butler.
227 (on face of ballot)	2	Butler.	208	2	Butler.
155	2	Butler.	77	2	Butler.
32	2	Butler.	57	2	Butler.
105	2	Butler.	90	2	Butler.
72	2	Butler.	109	2	Butler.
121	2	Butler.	202	2	Butler.
235	2	Butler.	118	2	Butler.
170	2	Nobody.	226	2	Butler.
217	2	Butler.	230	2	Butler.
145	1	Butler.	169	2	Butler.
120	2	Butler.	205	2	Butler.
124	2	Butler.	89	2	Butler.
132	2	Butler.	250	2	Butler.
196	2	Butler.	229	2	Butler.
87	2	Butler.	82	2	Butler.
101	2	Butler.	74	2	Butler.
98	2	Butler.	83	2	Butler.
88	2	Butler.	53	2	Butler.
118	2	Butler.	80	2	Butler.
231	2	Butler.	79	2	Butler.
81	2	Butler.	75	2	Butler.
233	2	Butler.	200	2	Butler.
71	2	Butler.	114	1	Butler.
186	2	Reynolds.	162	2	Butler.
68	2	Butler.	144	2	Butler.
48	2	Butler.	244	2	Butler.
195	2	Butler.	249	2	Butler.
51	2	Butler.	126	2	Butler.
248	2	Butler.	137	2	Butler.
161	2	Butler.	141	2	Butler.
136	2	Butler.	110	2	Butler.
125	2	Butler.	55	2	Butler.
165	2	Butler.	219	2	Reynolds.
127	2	Butler.	163	2	Butler.
113	2	Butler.	41	2	Butler.
135	2	Butler.	96	2	Butler.
2	2	Butler.	192	2	Butler.
42	2	Butler.	7	2	Butler.
76	2	Butler.	119	2	Butler.
185	2	Butler.	15	2	Butler.
149	2	Butler.	28	2	Butler.
103	2	Butler.	152	2	Butler.
139	2	Butler.	133	2	Butler.
188	2	Butler.	180	2	Butler.
12	2	Butler.	69	2	Butler.
107	2	Butler.	172	2	Butler.
140	2	Butler.	236	2	Butler.
104	2	Butler.	191	2	Butler.
243	2	Butler.	19	2	Butler.
122	2	Butler.	237	2	Butler.
206	2	Butler.	214	2	Butler.
18	2	Butler.	81	2	Butler.
245	2	Butler.	99	2	Butler.
203	2	Butler.	46	2	Reynolds.
134	2	Butler.	159	2	Reynolds.
231	2	Butler.	228	2	Reynolds.
49	2	Butler.	197	2	Reynolds.
43	2	Butler.	187	2	Butler.
38	2	Reynolds.	92	2	Butler.
240	2	Reynolds.	231	2	Butler.
21	2	Reynolds.	17	2	Butler.
209	2	Reynolds.	181	2	Butler.
13	2	Reynolds.	235	2	Reynolds.
158	2	Reynolds.	135	2	Reynolds.
36	2	Reynolds.	151	2	Reynolds.
207	2	Reynolds.	167	2	Reynolds.
6	2	Reynolds.	116	2	Butler.
239	2	Reynolds.	94	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
64	2	Butler.	60	2	Reynolds.
91	2	Butler.	198	2	Butler.
218	2	Butler.	250	2	Butler.
166	2	Reynolds.	Upper half of ballot missing.		
115	2	Butler.			

Q. Have you examined all the ballots contained in that box?—A. I have.

J. T. SANDERS, *Notary Public.*

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the twelfth precinct of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballots in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
96	2	Reynolds.	48	2	Butler.
169	2	Reynolds.	93	2	Butler.
133	2	Reynolds.	76	2	Butler.
180	2	Reynolds.	20	2	Butler.
179	2	Reynolds.	112	2	Butler.
67	2	Reynolds.	74	2	Butler.
88	2	Reynolds.	59	2	Butler.
29	2	Reynolds.	25	2	Butler.
13	2	Reynolds.	68	2	Butler.
20	1	Reynolds.	7	2	Butler.
151	2	Reynolds.	23	2	Butler.
176	2	Reynolds.	90	2	Butler.
57	2	Reynolds.	9	2	Butler.
66	2	Reynolds.	152	2	Butler.
43	2	Reynolds.	85	2	Butler.
8	1	Reynolds.	81	2	Butler.
38	2	Reynolds.	105	2	Butler.
42	2	Reynolds.	184	2	Nobody.
10	2	Reynolds.	150	2	Butler.
17	2	Reynolds.	177	2	Butler.
24	2	Reynolds.	5	1	Butler.
163	2	Reynolds.	110	2	Butler.
6	2	Reynolds.	53	2	Butler.
120	2	Reynolds.	None	1	Butler.
95	2	Butler.	172	2	Butler.
108	2	Butler.	50	2	Butler.
37	2	Butler.	174	2	Butler.
75	2	Butler.	84	2	Butler.
81	2	Butler.	82	2	Butler.
100	2	Butler.	2	2	Butler.
106	2	Butler.	122	2	Butler.
181	2	Butler.	138	2	Butler.
123	2	Butler.	137	2	Butler.
140	2	Butler.	185	2	Butler.
173	2	Butler.	142	2	Butler.
111	2	Butler.	178	2	Butler.
145	2	Butler.	116	2	Butler.
39	2	Butler.	102	2	Butler.
56	2	Butler.	109	2	Butler.
60	2	Butler.	15	2	Butler.
49	2	Butler.	41	1	Reynolds.
92	2	Butler.	101	2	Butler.
36	2	Butler.	166	2	Butler.
16	2	Butler.	62	1	Butler.
28	2	Butler.	72	2	Butler.
1	1	Butler.	45	2	Butler.
44	2	Butler.	89	2	Nobody.
14	1	Butler.	71	2	Butler.
33	2	Butler.	136	2	Butler.
61	2	Butler.	63	2	Butler.
170	2	Butler.	107	1	Butler.
58	2	Butler.	79	2	Butler.
91	2	Butler.	125	2	Butler.
48	2	Butler.	167	2	Butler.
155	2	Butler.	104	2	Butler.
147	2	Butler.	115	2	Butler.
94	2	Butler.	99	2	Butler.
11	2	Butler.	144	2	Butler.
65	2	Butler.	73	2	Butler.
69	2	Butler.	127	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
47	2	Reynolds.	186	2	Butler.
113	2	Butler.	156	2	Butler.
114	2	Butler.	183	2	Butler.
12	2	Butler.	103	2	Butler.
None	2	Nobody.	97	2	Butler.
61	2	Butler.	32	2	Butler.
None	2	Butler.	35	2	Reynolds.
158	2	Butler.	83	2	Reynolds.
124	2	Rocker.	130	2	Reynolds.
27	2	Rocker.	171	2	Reynolds.
131	2	Rocker.	51	2	Reynolds.
22	2	Rocker.	54	2	Reynolds.
162	2	Billsbarrow.	30	2	Reynolds.
131	2	Reynolds.	19	2	Reynolds.
None	2	Billsbarrow.	86	2	Reynolds.
118	2	Reynolds.	146	2	Reynolds.
77	2	Reynolds.	117	2	Reynolds.
98	2	Reynolds.	129	2	Reynolds.
78	2	Butler.	161	2	Reynolds.
135	2	Reynolds.	139	2	Reynolds.
175	2	Artz.	13	2	Reynolds.
26	2	Artz.	51	2	Reynolds.
132	2	Nobody.	164	2	Reynolds.
187	2	Reynolds.	40	2	Reynolds.
150	2	Reynolds.	119	2	Reynolds.
126	2	Reynolds.	153	2	Reynolds.
168	2	Reynolds.	70	2	Reynolds.
141	2	Reynolds.	128	2	Reynolds.
None	2	Reynolds.	157	2	Reynolds.
182	2	Reynolds.	18	2	Reynolds.
148	2	Reynolds.	121	2	Reynolds.
113	2	Reynolds.	149	2	Reynolds.
87	2	Reynolds.	55	2	Nobody.
160	2	Butler.	Upper half of ballot missing.		

Q. Have you examined all the ballots contained in that box?—A. We have.

Not being able to complete the taking of the depositions, I now adjourn the further taking of the same until 2 o'clock p. m.

J. T. SANDERS,
Notary Public, City of St. Louis, State of Missouri.

Pursuant to adjournment, as before stated, at 2 o'clock p. m. I resumed the taking of said depositions, as follows:

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the fifth precinct of the Thirteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom voted.	No of ballot.	Initials.	For whom voted.
242	2	Butler.	146	2	Butler.
8	2	Butler.	31	2	Butler.
179	2	Butler.	19	2	Butler.
65	2	Butler.	215	2	Butler.
9	2	Butler.	197	2	Butler.
218	2	Butler.	209	2	Butler.
13	2	Butler.	81	2	Butler.
143	2	Butler.	102	2	Butler.
7	2	Butler.	193	2	Butler.
18	2	Butler.	214	2	Butler.
16	2	Butler.	53	2	Butler.
298	2	Butler.	135	2	Butler.
77	2	Butler.	66	2	Butler.
56	2	Butler.	47	2	Butler.
118	2	Butler.	134	2	Butler.
142	2	Butler.	2	2	Butler.
119	2	Butler.	40	2	Butler.
298	2	Butler.	69	2	Nobody
160	2	Butler.	39	2	Butler.
142	2	Butler.	88	2	Butler.
14	2	Butler.	191	2	Butler.
168	2	Butler.	161	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
163	2	Butler.	75	2	Reynolds.
235	2	Butler.	87	2	Reynolds.
165	2	Butler.	63	2	Reynolds.
238	2	Butler.	92	2	Reynolds.
89	2	Butler.	138	2	Reynolds.
28	2	Butler.	162	2	Reynolds.
157	2	Butler.	15	2	Reynolds.
46	2	Butler.	203	2	Reynolds.
54	2	Butler.	93	2	Reynolds.
30	2	Butler.	4	2	Reynolds.
38	2	Butler.	231	2	Reynolds.
22	2	Butler.	122	2	Reynolds.
237	2	Butler.	172	2	Reynolds.
49	2	Butler.	59	2	Reynolds.
223	2	Butler.	94	2	Reynolds.
180	2	Butler.	108	2	Reynolds.
37	2	Butler.	145	2	Reynolds.
184	2	Butler.	144	2	Reynolds.
221	2	Butler.	205	2	Reynolds.
25	2	Butler.	211	2	Reynolds.
44	2	Butler.	107	2	Reynolds.
213	2	Butler.	164	2	Reynolds.
171	2	Butler.	133	2	Reynolds.
73	2	Butler.	157	2	Reynolds.
103	2	Butler.	140	2	Reynolds.
178	2	Butler.	33	2	Reynolds.
199	2	Butler.	139	2	Reynolds.
71	2	Butler.	206	2	Reynolds.
64	2	Butler.	236	2	Reynolds.
23	2	Butler.	202	2	Reynolds.
117	2	Butler.	241	2	Reynolds.
228	2	Butler.	232	2	Reynolds.
212	2	Butler.	20	2	Reynolds.
19	2	Butler.	124	2	Reynolds.
208	2	Butler.	210	2	Reynolds.
166	2	Butler.	21	2	Reynolds.
None	2	Butler.	104	2	Reynolds.
12	2	Butler.	123	2	Reynolds.
175	2	Butler.	195	2	Reynolds.
217	2	Butler.	78	2	Reynolds.
18	2	Butler.	6	2	Reynolds.
227	2	Butler.	149	2	Reynolds.
229	2	Butler.	200	2	Reynolds.
159	2	Butler.	27	2	Reynolds.
95	2	Butler.	83	2	Reynolds.
29	2	Butler.	76	2	Reynolds.
99	2	Butler.	55	2	Reynolds.
225	2	Butler.	155	2	Reynolds.
67	2	Butler.	35	2	Reynolds.
16	2	Butler.	147	2	Reynolds.
58	2	Butler.	120	2	Reynolds.
90	2	Butler.	52	2	Reynolds.
96	2	Butler.	105	2	Reynolds.
80	2	Butler.	115	2	Reynolds.
222	2	Butler.	226	2	Reynolds.
24	2	Butler.	201	2	Reynolds.
57	2	Butler.	110	2	Reynolds.
174	2	Butler.	207	2	Reynolds.
127	2	Butler.	61	2	Reynolds.
116	2	Butler.	50	2	Reynolds.
187	2	Butler.	180	2	Reynolds.
152	2	Butler.	43	2	Reynolds.
190	2	Butler.	62	2	Reynolds.
45	2	Butler.	32	2	Reynolds.
183	2	Butler.	132	2	Reynolds.
85	2	Butler.	100	2	Reynolds.
109	2	Butler.	188	2	Reynolds.
192	2	Butler.	231	2	Nobody.
5	2	Butler.	141	2	Butler.
10	2	Butler.	170	2	Artz.
82	2	Reynolds.	74	2	Reynolds.
233	2	Reynolds.	26	2	Reynolds.
129	2	Reynolds.	148	2	Butler.
185	2	Reynolds.	151	2	Nobody.
125	2	Reynolds.	167	2	Butler.
11	2	Reynolds.	121	2	Butler.
173	2	Reynolds.	169	2	Butler.
137	2	Reynolds.	224	2	Butler.
1	2	Reynolds.	158	2	Butler.
194	2	Reynolds.	51	2	Butler.
131	2	Reynolds.	230	2	Reynolds.
153	2	Reynolds.	196	2	Reynolds.
111	2	Reynolds.	128	2	Butler.
181	2	Reynolds.	176	2	Reynolds.
36	2	Reynolds.	130	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials	For whom voted.
70	2	Butler.	101	2	Reynolds.
239	2	Nobody.	14	2	Reynolds.
3	2	Nobody.	34	2	Butler.
204	2	Butler.	4	2	Artz.
79	2	Butler.	91	2	Artz.
126	2	Reynolds.	136	2	Butler.
41	2	Butler.	168	2	Rocker.
60	2	Butler.	106	2	Nobody.
113	2	Butler.	177	2	Rocker.
112	2	Butler.	186	2	Rocker.
150	2	Nobody.	72	2	Nobody.
28	2	Nobody.	97	2	Butler.
81	2	Artz.			

Q. Have you examined all the ballots contained in that box?—A. We have.

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots in the ninth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
101	2	Butler.	114	2	Reynolds.
40	2	Rocker.	127	2	Reynolds.
72	2	Rocker.	56	2	Reynolds.
70	2	Billsbarrow.	8	2	Reynolds.
112	2	Reynolds.	120	2	Reynolds.
129	2	Reynolds.	16	2	Reynolds.
96	2	Reynolds.	126	2	Reynolds.
91	2	Reynolds.	None	2	Reynolds.
28	2	Reynolds.	10	2	Reynolds.
121	2	Reynolds.	6	2	Reynolds.
78	1	Reynolds.	128	2	Reynolds.
101	2	Reynolds.	83	2	Reynolds.
7	2	Reynolds.	118	2	Reynolds.
32	2	Butler.	17	2	Reynolds.
48	2	Reynolds.	39	2	Reynolds.
116	2	Reynolds.	45	2	Reynolds.
81	2	Reynolds.	13	2	Butler.
105	2	Reynolds.	23	2	Butler.
12	2	Reynolds.	124	2	Butler.
22	2	Reynolds.	110	2	Butler.
None	3	Butler.	64	2	Butler.
59	2	Reynolds.	98	2	Butler.
46	2	Reynolds.	30	2	Butler.
73	2	Reynolds.	53	2	Butler.
31	2	Reynolds.	29	2	Butler.
3	2	Butler.	69	2	Butler.
60	2	Reynolds.	77	2	Butler.
58	2	Reynolds.	100	2	Butler.
88	2	Reynolds.	33	2	Butler.
109	2	Reynolds.	105	2	Butler.
82	2	Reynolds.	71	2	Butler.
35	2	Reynolds.	55	2	Butler.
117	2	Reynolds.	26	2	Butler.
47	2	Reynolds.	43	1	Butler.
15	2	Reynolds.	123	2	Butler.
11	2	Reynolds.	42	2	Butler.
27	2	Reynolds.	56	2	Butler.
19	2	Reynolds.	66	2	Butler.
119	2	Reynolds.	122	None.	Butler.
49	2	Reynolds.	65	2	Butler.
20	2	Reynolds.	62	1	Butler.
9	2	Reynolds.	85	2	Butler.
111	2	Reynolds.	54	2	Butler.
24	2	Reynolds.	75	2	Rocker.
79	2	Reynolds.	34	2	Reynolds.
108	2	Reynolds.	68	2	Butler.
18	2	Reynolds.	113	2	Butler.
115	2	Reynolds.	97	2	Reynolds.
94	2	Reynolds.	57	2	Butler.
90	2	Reynolds.	102	2	Butler.
131	2	Reynolds.	130	1	Butler.
63	2	Reynolds.	25	2	Butler.
125	2	Reynolds.	41	2	Butler.
87	2	Reynolds.	14	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
84	2	Butler.	92	2	Butler.
84	2	Butler.	36	2	Reynolds.
52	2	Butler.	99	1	Reynolds.
4	2	Nobody.	93	2	Reynolds.
107	2	Butler.	76	2	Reynolds.
61	2	Butler.	74	2	Butler.
61	2	Butler.	21	2	Reynolds.
50	2	Butler.	37	2	Butler.
38	2	Butler.	44	2	Reynolds.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Q. Will you produce, open, and count the ballots cast in the third precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
209	2	Rocker.	152	2	Butler.
180	2	Rocker.	89	2	Butler.
217	2	Rocker.	31	2	Butler.
208	2	Rocker.	54	2	Butler.
219	2	Rocker.	56	2	Butler.
183	2	Rocker.	61	2	Butler.
43	2	Reynolds.	108	2	Butler.
122	2	Reynolds.	113	2	Butler.
120	2	Reynolds.	76	2	Butler.
11	2	Reynolds.	63	2	Butler.
133	2	Reynolds.	82	2	Butler.
19	2	Reynolds.	20	2	Butler.
177	2	Butler.	105	2	Butler.
170	2	Reynolds.	107	1	Butler.
39	2	Reynolds.	87	2	Butler.
213	2	Butler.	53	2	Butler.
153	2	Reynolds.	42	2	Butler.
182	2	Reynolds.	95	2	Butler.
179	2	Reynolds.	96	2	Butler.
100	2	Reynolds.	117	2	Butler.
40	2	Reynolds.	94	2	Reynolds.
157	2	Reynolds.	67	2	Butler.
198	2	Reynolds.	176	2	Reynolds.
7	2	Reynolds.	221	2	Nobody.
73	2	Reynolds.	169	2	Butler.
35	2	Reynolds.	4	2	Butler.
68	2	Reynolds.	159	2	Butler.
48	2	Reynolds.	188	2	Butler.
201	2	Reynolds.	161	2	Butler.
164	2	Reynolds.	80	2	Butler.
1	2	Reynolds.	161	2	Butler.
121	2	Reynolds.	123	2	Butler.
181	2	Reynolds.	93	2	Butler.
162	2	Reynolds.	45	2	Butler.
212	2	Reynolds.	13	2	Butler.
124	2	Reynolds.	60	2	Butler.
223	2	Reynolds.	9	2	Butler.
118	2	Reynolds.	125	2	Butler.
165	2	Reynolds.	50	2	Butler.
128	2	Reynolds.	13	2	Butler.
164	2	Reynolds.	92	2	Butler.
220	2	Reynolds.	98	2	Butler.
171	2	Reynolds.	192	2	Butler.
225	2	Reynolds.	111	2	Butler.
211	2	Reynolds.	88	2	Butler.
172	2	Reynolds.	160	2	Butler.
112	2	Reynolds.	186	2	Butler.
226	2	Reynolds.	158	2	Butler.
173	2	Reynolds.	187	2	Butler.
17	2	Reynolds.	109	2	Butler.
193	2	Reynolds.	130	2	Butler.
127	2	Reynolds.	189	2	Butler.
129	2	Reynolds.	66	2	Butler.
131	2	Reynolds.	178	2	Butler.
79	2	Butler.	200	2	Butler.
75	2	Butler.	106	2	Butler.
55	2	Butler.	197	2	Butler.
47	2	Reynolds.	150	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
110	2	Butler.	4	2	Butler.
201	2	Butler.	72	2	Butler.
97	2	Butler.	145	2	Butler.
49	2	Butler.	36	2	Butler.
195	2	Butler.	57	2	Butler.
74	2	Butler.	216	2	Butler.
190	2	Butler.	215	2	Butler.
59	2	Butler.	25	2	Butler.
99	2	Butler.	116	2	Butler.
174	2	Butler.	85	2	Butler.
119	2	Butler.	168	2	Butler.
203	2	Butler.	83	2	Butler.
8	2	Butler.	151	2	Butler.
91	2	Butler.	148	2	Butler.
141	2	Butler.	126	2	Butler.
205	2	Butler.	114	2	Butler.
191	2	Butler.	142	2	Butler.
70	2	Butler.	22	2	Butler.
58	2	Butler.	175	2	Butler.
65	2	Butler.	101	2	Butler.
84	2	Butler.	28	2	Butler.
210	2	Butler.	214	2	Butler.
33	2	Butler.	81	2	Butler.
30	2	Butler.	155	2	Butler.
26	2	Butler.	163	2	Butler.
14	2	Butler.	51	2	Butler.
204	2	Butler.	222	2	Butler.
69	2	Butler.	16	2	Butler.
139	2	Butler.	29	2	Butler.
115	2	Butler.	102	2	Butler.
132	2	Butler.	137	2	Butler.
5	2	Butler.	77	2	Butler.
32	2	Butler.	78	2	Butler.
71	2	Butler.	86	2	Butler.
143	2	Butler.	27	2	Butler.
37	2	Butler.	5	2	Butler.
34	2	Butler.	52	2	Butler.
138	2	Butler.	147	2	Butler.
202	2	Butler.	62	2	Butler.
3	2	Butler.	206	2	Butler.
134	2	Butler.	169	2	Butler.
141	2	Butler.	146	2	Butler.
24	2	Butler.	140	2	Butler.
184	2	Butler.	15	2	Butler.
136	2	Butler.	156	2	Butler.
46	2	Butler.	90	2	Butler.
166	2	Butler.	194	2	Butler.
20	2	Butler.	221	2	Butler.
61	2	Butler.	196	2	Butler.
18	2	Butler.	149	2	Butler.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Q. Will you produce, open, and count the ballots cast in the fourth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
176	2	Butler.	9	2	Reynolds.
157	2	Butler.	167	2	Reynolds.
20	2	Butler.	220	2	Reynolds.
29	2	Butler.	221	2	Reynolds.
144	2	Butler.	154	2	Reynolds.
61	2	Butler.	169	2	Reynolds.
125	2	Butler.	19	2	Reynolds.
141	2	Butler.	229	2	Reynolds.
95	2	Butler.	228	2	Reynolds.
126	2	Butler.	224	2	Reynolds.
186	2	Butler.	223	2	Reynolds.
225	2	Butler.	194	2	Reynolds.
23	2	Butler.	158	2	Butler.
82	2	Butler.	30	2	Butler.
3	2	Butler.	36	2	Butler.
25	2	Butler.	37	2	Butler.
199	2	Reynolds.	43	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
184	2	Butler.	53	2	Butler.
171	2	Reynolds.	63	2	Butler.
12	2	Reynolds.	51	2	Butler.
7	2	Butler.	1	2	Butler.
32	2	Butler.	44	2	Butler.
64	2	Butler.	208	2	Butler.
81	2	Butler.	130	2	Butler.
217	2	Butler.	104	2	Butler.
218	2	Butler.	160	2	Butler.
24	2	Butler.	74	2	Butler.
196	2	Butler.	71	2	Butler.
135	2	Butler.	202	2	Butler.
145	2	Butler.	134	2	Butler.
105	2	Butler.	26	2	Butler.
94	2	Butler.	84	2	Butler.
58	2	Butler.	226	2	Butler.
89	2	Butler.	52	2	Butler.
8	2	Butler.	51	2	Butler.
100	2	Butler.	5	2	Butler.
87	2	Butler.	211	2	Butler.
128	2	Butler.	133	2	Butler.
98	2	Butler.	96	2	Butler.
161	2	Butler.	70	2	Butler.
39	2	Butler.	210	2	Butler.
116	2	Butler.	198	2	Butler.
28	2	Butler.	215	2	Butler.
110	2	Butler.	156	2	Butler.
132	2	Butler.	68	2	Butler.
149	2	Butler.	35	2	Butler.
47	2	Butler.	150	2	Butler.
42	2	Butler.	213	2	Butler.
192	2	Butler.	131	2	Butler.
230	2	Butler.	164	2	Butler.
50	2	Butler.	162	2	Butler.
6	2	Butler.	139	2	Butler.
136	2	Butler.	80	2	Butler.
106	2	Butler.	103	2	Butler.
127	2	Butler.	55	2	Butler.
197	2	Butler.	181	2	Butler.
86	2	Butler.	76	2	Butler.
38	2	Butler.	168	2	Butler.
None	2	Butler.	73	2	Butler.
129	2	Butler.	99	2	Butler.
34	2	Butler.	178	2	Butler.
124	2	Butler.	170	2	Butler.
93	2	Butler.	67	2	Butler.
117	2	Butler.	29	2	Butler.
159	2	Butler.	22	2	Butler.
193	2	Butler.	66	2	Butler.
137	2	Butler.	75	2	Butler.
107	2	Butler.	101	2	Butler.
188	2	Butler.	2	2	Butler.
185	2	Artz.	65	2	Butler.
148	2	Butler.	97	2	Butler.
216	2	Butler.	88	2	Butler.
108	2	Butler.	206	2	Butler.
None	2	Butler.	187	2	Butler.
189	2	Butler.	21	2	Butler.
16	2	Butler.	62	2	Butler.
15	2	Butler.	92	2	Butler.
151	2	Butler.	31	2	Butler.
180	2	Butler.	10	2	Butler.
140	2	Butler.	85	2	Butler.
118	2	Butler.	174	2	Reynolds.
115	2	Butler.	111	2	Reynolds.
177	2	Butler.	102	2	Reynolds.
173	2	Butler.	153	2	Reynolds.
166	2	Butler.	114	2	Reynolds.
147	2	Butler.	121	2	Reynolds.
207	2	Butler.	222	2	Reynolds.
33	2	Butler.	18	2	Reynolds.
90	2	Butler.	172	2	Butler.
45	2	Butler.	138	2	Reynolds.
142	2	Butler.	156	2	Reynolds.
201	2	Butler.	123	2	Reynolds.
204	2	Butler.	119	2	Reynolds.
200	2	Butler.	175	2	Reynolds.
209	2	Butler.	152	2	Reynolds.
163	2	Butler.	79	2	Reynolds.
201	2	Butler.	77	2	Reynolds.
214	2	Butler.	14	2	Reynolds.
212	2	Butler.	40	2	Reynolds.
219	2	Butler.	182	2	Reynolds.
57	2	Butler.	191	2	Reynolds.
72	2	Butler.	112	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom east.
195	2	Reynolds.	11	2	Butler.
46	2	Butler.	None	2	Nobody.
109	2	Butler.	170	2	Rocker.
122	2	Reynolds.	78	2	Rocker.
48	2	Butler.	183	2	Rocker.
190	2	Reynolds.	143	2	Rocker.
120	2	Reynolds.	69	2	Nobody.
84	2	Reynolds.	60	2	Nobody.
49	2	Butler.	203	2	Nobody.
165	2	Butler.	91	2	Nobody.
155	2	Butler.	4	2	Billsbarrow.
13	2	Nobody.	None	2	Billsbarrow.

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Not being able to complete the taking of the depositions, I now adjourn the further taking of the same until 7 o'clock p. m.

J. T. SANDERS,
Notary Public, City of St. Louis, State of Missouri.

Pursuant to adjournment, at 7 o'clock p. m. I resumed the taking of said depositions, as follows:

By Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the first precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom east.
Not numbered	1	Nobody.	Not numbered	2	Reynolds.
Do	2	Reynolds.	Do	2	Joy.
Do	3	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	2	2	Reynolds.
Do	2	Reynolds.	Not numbered	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	None.	Reynolds.
Do	2	Reynolds.	Do	2	Butler.
Do	2	Reynolds.	Do	2	Nobody.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Reynolds.	1	2	Reynolds.
Do	2	Reynolds.	Not numbered	2	Reynolds.
Do	2	Reynolds.	3	2	Reynolds.
Do	2	Reynolds.	Not numbered	2	Reynolds.
Do	2	Reynolds.	Do	2	Butler.
Do	2	Reynolds.	Do	2	Butler.
Do	2	Butler.	Do	2	Reynolds.
Do	2	Butler.	Do	2	Reynolds.
Do	2	Artz.	Do	2	Reynolds.
Do	2	Nobody.	Do	2	Butler.
Do	2	Nobody.	Do	2	Butler.
Do	2	Butler.	Do	2	Butler.
Do	2	Butler.	Do	2	Butler.
Do	2	Butler.	Do	2	Butler.
Do	2	Butler.	Do	1	Butler.
Do	2	Reynolds.	Do	2	Reynolds.
Do	2	Higbee.	Do	2	Butler.
Do	2	Butler.	Do	2	Butler.
Do	2	Nobody.	Do	2	Butler.
Do	2	Nobody.	Do	2	Butler.
Do	2	Artz.	Do	2	Butler.
Do	2	Rocker.	Do	2	Butler.
Do	2	Rocker.	Do	2	Butler.
Do	2	Rocker.	Do	2	Butler.
Do	2	Rocker.	Do	2	Butler.
Do	2	Rocker.	Do	2	Butler.
Do	2	Rocker.	Do	2	Reynolds.
Do	2	Rocker.	Do	2	Butler.

[illegible]

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?--A. We have.

Q. Will you produce, open, and count the ballots cast in the second precinct of the Fifteenth Ward in the election held November 4, 1902, in the city of St. Louis, in so far as they relate to a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
32	2	Billsbarrow.	71	2	Butler.
16	2	Reynolds.	46	2	Butler.
88	2	Reynolds.	92	2	Butler.
29	2	Reynolds.	82	2	Reynolds.
24	2	Reynolds.	17	2	Rocker.
74	2	Reynolds.	87	2	Butler.
54	2	Reynolds.	85	2	Butler.
11	2	Reynolds.	91	2	Butler.
53	1	Reynolds.	14	2	Butler.
55	2	Reynolds.	25	2	Butler.
10	2	Reynolds.	94	2	Butler.
12	2	Reynolds.	84	2	Butler.
48	2	Reynolds.	49	2	Butler.
69	2	Reynolds.	3	2	Butler.
20	2	Butler.	7	1	Butler.
77	3	Reynolds.	90	2	Butler.
15	2	Butler.	37	2	Butler.
9	2	Nobody.	64	2	Butler.
47	2	Butler.	38	2	Butler.
86	2	Butler.	45	2	Butler.
70	2	Butler.	73	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
31	2	Butler.	62	2	Butler.
18	2	Butler.	59	2	Butler.
28	2	Butler.	57	2	Butler.
31	2	Butler.	51	2	Butler.
52	2	Reynolds.	50	2	Butler.
21	2	Reynolds.	61	2	Butler.
19	2	Reynolds.	58	2	Butler.
56	2	Reynolds.	68	2	Butler.
11	2	Reynolds.	66	2	Butler.
75	2	Reynolds.	35	2	Butler.
23	2	Reynolds.	65	2	Butler.
40	2	Reynolds.	67	2	Butler.
5	2	Reynolds.	60	2	Butler.
43	2	Reynolds.	89	2	Butler.
41	2	Reynolds.	36	2	Butler.
76	2	Reynolds.	95	2	Butler.
79	2	Reynolds.	13	2	Butler.
2	2	Reynolds.	30	2	Reynolds.
27	2	Reynolds.	78	2	Butler.
8	2	Reynolds.	63	2	Butler.
42	2	Reynolds.	72	2	Rocker.
34	2	Reynolds.	4	2	Rocker.
1	2	Reynolds.	94	2	Rocker.
44	2	Reynolds.	93	2	Rocker.
26	2	Reynolds.	86	2	Nobody.
22	2	Reynolds.	39	2	Artz.
81	2	Butler.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Q. Will you produce, open, and count the ballots cast in the third precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis, from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
41	2	Rocker.	56	2	Butler.
100	2	Rocker.	112	2	Butler.
5	2	Rocker.	31	2	Butler.
78	2	Nobody.	26	2	Butler.
9	2	Artz.	74	2	Butler.
85	2	Artz.	108	2	Butler.
19	2	Reynolds.	104	2	Butler.
89	2	Reynolds.	59	2	Butler.
40	2	Reynolds.	25	2	Butler.
15	2	Reynolds.	43	2	Butler.
30	2	Reynolds.	82	2	Butler.
58	2	Butler.	86	2	Butler.
98	2	Reynolds.	16	2	Butler.
42	2	Reynolds.	69	2	Butler.
63	2	Reynolds.	97	2	Butler.
29	2	Reynolds.	2	2	Butler.
61	2	Reynolds.	94	2	Butler.
6	2	Reynolds.	110	2	Butler.
111	2	Butler.	83	2	Butler.
77	2	Butler.	37	2	Nobody.
65	2	Reynolds.	72	2	Butler.
32	2	Butler.	80	2	Butler.
75	2	Butler.	62	2	Butler.
66	2	Butler.	76	2	Butler.
17	2	Butler.	54	2	Butler.
35	2	Butler.	57	2	Nobody.
79	2	Butler.	70	2	Reynolds.
36	2	Butler.	28	2	Reynolds.
39	2	Butler.	71	2	Reynolds.
81	2	Butler.	12	2	Reynolds.
8	2	Butler.	88	2	Reynolds.
68	2	Butler.	49	2	Reynolds.
107	2	Butler.	27	2	Reynolds.
55	2	Butler.	91	2	Reynolds.
10	2	Butler.	99	2	Reynolds.
92	2	Butler.	67	2	Reynolds.
93	2	Butler.	22	2	Reynolds.
45	2	Butler.	24	2	Reynolds.
44	2	Butler.	102	2	Reynolds.
60	2	Butler.	106	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
33	2	Reynolds.	73	2	Reynolds.
87	2	Reynolds.	52	2	Reynolds.
14	2	Reynolds.	53	2	Reynolds.
48	2	Reynolds.	7	2	Reynolds.
109	2	Reynolds.	20	2	Reynolds.
105	2	Reynolds.	34	2	Reynolds.
21	2	Reynolds.	13	2	Reynolds.
23	2	Reynolds.	64	2	Reynolds.
4	2	Reynolds.	1	2	Nobody.
3	2	Reynolds.	47	2	Billsbarrow.
11	2	Reynolds.	84	2	Nobody.
38	2	Reynolds.	95	2	Nobody.
18	2	Reynolds.	57	2	Nobody.
103	2	Reynolds.	50	2	Reynolds.
90	2	Reynolds.	96	2	Reynolds.
46	2	Reynolds.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Q. Will you produce, open, and count the ballots in the ninth precinct of the Twenty-second Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
188	2	Butler.	67	2	Butler.
197	2	Butler.	333	2	Butler.
126	2	Butler.	1	2	Butler.
162	2	Reynolds.	23	2	Butler.
182	2	Butler.	125	2	Butler.
185	2	Butler.	100	None.	Butler.
262	2	Butler.	252	2	Butler.
195	2	Butler.	53	2	Butler.
281	2	Butler.	226	2	Butler.
58	2	Butler.	91	2	Butler.
131	2	Butler.	127	2	Butler.
225	2	Butler.	27	2	Butler.
243	2	Butler.	105	2	Butler.
228	2	Butler.	115	2	Reynolds.
216	2	Butler.	142	2	Butler.
414	2	Butler.	106	2	Butler.
109	2	Butler.	232	2	Butler.
52	2	Butler.	255	2	Butler.
69	2	Butler.	199	2	Butler.
220	2	Butler.	241	2	Butler.
175	2	Butler.	213	2	Butler.
61	2	Butler.	45	2	Butler.
200	2	Butler.	231	2	Butler.
202	2	Butler.	11	1	Reynolds.
85	2	Butler.	39	2	Reynolds.
127	2	Butler.	94	2	Reynolds.
99	2	Butler.	92	2	Reynolds.
229	2	Butler.	116	2	Reynolds.
241	2	Butler.	16	2	Reynolds.
244 (on face of ballot)	2	Butler.	35	2	Reynolds.
160	2	Butler.	34	2	Reynolds.
249	2	Butler.	241	2	Reynolds.
116	2	Butler.	146	2	Reynolds.
193	2	Butler.	90	2	Reynolds.
219	2	Butler.	79	2	Reynolds.
210	2	Butler.	259	2	Reynolds.
88	2	Butler.	156	2	Reynolds.
206	2	Butler.	183	2	Reynolds.
230	2	Butler.	8	2	Reynolds.
224	2	Butler.	78	2	Reynolds.
None	1	Butler.	10	2	Reynolds.
194	2	Butler.	271	2	Butler.
136	2	Butler.	135	2	Nobody.
184	2	Butler.	77	2	Butler.
298	2	Butler.	60	1	Butler.
237	2	Butler.	40	2	Butler.
208	2	Butler.	148	2	Nobody.
128	2	Butler.	80	2	Nobody.
182	2	Butler.	157	2	Nobody.
49	2	Butler.	177	2	Reynolds.
33	2	Butler.	166	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
227	2	Reynolds.	265	2	Butler.
129	2	Reynolds.	269	2	Reynolds.
137	2	Reynolds.	46	2	Nobody.
154	2	Reynolds.	30	2	Reynolds.
110	2	Reynolds.	276	2	Butler.
73	2	Reynolds.	111	2	Butler.
186	2	Reynolds.	131	2	Butler.
57	2	Reynolds.	218	2	Butler.
71	2	Reynolds.	245	2	Butler.
58	2	Reynolds.	None	2	Butler.
21	2	Reynolds.	29	2	Butler.
132	2	Reynolds.	287	2	Butler.
91	2	Reynolds.	149	2	Reynolds.
153	2	Reynolds.	141	2	Wagoner.
None	2	Reynolds.	235	1	Butler.
None	2	Reynolds.	165	2	Butler.
None	2	Reynolds.	82	2	Reynolds.
28	2	Reynolds.	96	2	Butler.
143	2	Reynolds.	95	2	Butler.
260	2	Reynolds.	None	2	Butler.
None	2	Reynolds.	261	2	Butler.
217	2	Butler.	114	2	Reynolds.
89	2	Butler.	108	1	Reynolds.
250	2	Butler.	None	2	Butler.
207	2	Butler.	85	2	Butler.
98	2	Butler.	256	2	Butler.
118	2	Butler.	286	2	Butler.
239	2	Butler.	90	1	Nobody.
91	2	Reynolds.	84	2	Nobody.
12	2	Reynolds.	190	2	Nobody.
238	2	Butler.	3	None.	Butler.
223	2	Butler.	267	2	Reynolds.
117	2	Butler.	181	2	Reynolds.
72	2	Butler.	25	2	Butler.
None	2	Butler.	247	2	Butler.
168	2	Butler.	278	2	Butler.
205	2	Butler.	87	2	Artz.
191	2	Butler.	103	2	Butler.
56	2	Butler.	251	2	Nobody.
101	2	Reynolds.	59	2	Butler.
7	None.	Reynolds.	189	2	Butler.
236	2	Reynolds.	20	2	Reynolds.
150	2	Reynolds.	279	2	Butler.
74	2	Reynolds.	113	2	Reynolds.
169	2	Reynolds.	87	2	Nobody.
86	2	Reynolds.	170	2	Butler.
81	2	Reynolds.	210	2	Butler.
2	None.	Reynolds.	289	2	Butler.
41	2	Reynolds.	101	2	Butler.
49	2	Reynolds.	234	2	Butler.
6	2	Reynolds.	96	2	Butler.
22	2	Reynolds.	58	2	Reynolds.
31	2	Reynolds.	88	2	Butler.
21	1	Reynolds.	161	2	Rennell.
119	2	Reynolds.	110	2	Butler.
67	2	Reynolds.	138	1	Butler.
15	2	Reynolds.	127	2	Reynolds.
83	2	Reynolds.	203	2	Reynolds.
452	2	Reynolds.	158	2	Nobody.
172	2	Reynolds.	178	2	Reynolds.
90	2	Reynolds.	155	2	Butler.
133	2	Reynolds.	151	2	Nobody.
173	2	Reynolds.	9	2	Reynolds.
163	2	Reynolds.	51	2	Reynolds.
26	2	Reynolds.	221	2	Butler.
139	2	Reynolds.	212	2	Butler.
273	2	Reynolds.	141	2	Butler.
66	2	Reynolds.	89	2	Butler.
277	2	Reynolds.	283	2	Butler.
53	2	Reynolds.	274	2	Butler.
147	2	Reynolds.	167	2	Butler.
68	2	Reynolds.	103	2	Butler.
51	2	Reynolds.	176	2	Butler.
204	2	Butler.	242	2	Butler.
222	2	Butler.	120	2	Butler.
17	2	Reynolds.	180	2	Butler.
18	2	Reynolds.	198	2	Butler.
246	2	Butler.	196	2	Butler.
253	2	Butler.	159	2	Butler.
179	2	Reynolds.	107	2	Butler.
280	2	Butler.	122	2	Butler.
47	2	Butler.	266	2	Butler.
93	2	Nobody.	270	2	Butler.
191	2	Reynolds.	73	2	Butler.
39	2	Butler.	282	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
248	2	Butler.	65	2	Butler.
214	2	Butler.	258	2	Butler.
112	2	Butler.	254	2	Butler.
264	2	Reynolds.	5	2	Butler.
145	2	Butler.	263	2	Butler.
187	2	Butler.	210	2	Butler.
174	2	Butler.	284	2	Butler.
272	2	Butler.	288	2	Butler.
130	2	Butler.			

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

Not being able to complete the taking of the depositions, I now adjourn the further taking of the same until to-morrow morning, February 11, 1903, at 10 a. m.

J. T. SANDERS,
Notary Public, City of St. Louis, Mo.

ST. LOUIS, MO., *February 11, 1903—10 o'clock a. m.*

Pursuant to adjournment, I hereby resume the taking of said depositions, as follows:

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the thirteenth precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
40	2	Reynolds.	63	2	Reynolds.
123	2	Reynolds.	36	2	Reynolds.
160	2	Butler.	92	2	Reynolds.
121	2	Reynolds.	129	2	Reynolds.
182	2	Reynolds.	149	2	Reynolds.
387	2	Butler.	22	2	Reynolds.
384	2	Butler.	65	2	Reynolds.
151	2	Butler.	None	2	Reynolds.
154	2	Butler.	133	2	Reynolds.
382	2	Butler.	179	2	Reynolds.
380	2	Butler.	191	2	Reynolds.
73	2	Butler.	135	2	Reynolds.
105	2	Butler.	181	2	Reynolds.
106	2	Reynolds.	190	2	Reynolds.
48	2	Butler.	107	2	Reynolds.
76	2	Reynolds.	180	2	Reynolds.
157	2	Reynolds.	399	2	Reynolds.
9	2	Reynolds.	15	2	Reynolds.
14	1	Reynolds.	127	2	Reynolds.
254	2	Reynolds.	153	2	Reynolds.
159	2	Reynolds.	99	2	Reynolds.
397	2	Reynolds.	85	2	Reynolds.
394	2	Reynolds.	207	2	Reynolds.
79	2	Reynolds.	61	2	Reynolds.
42	2	Rocker.	124	2	Reynolds.
120	2	Rocker.	441	2	Reynolds.
431	2	Rocker.	436	2	Reynolds.
461	2	Rocker.	138	2	Reynolds.
202	2	Rocker.	101	2	Reynolds.
155	2	Nobody.	83	2	Reynolds.
383	2	Nobody.	2	2	Reynolds.
115	2	Nobody.	75	2	Reynolds.
443	2	Nobody.	88	2	Reynolds.
43	2	Reynolds.	396	2	Butler.
30	2	Butler.	209	2	Butler.
129	2	Artz.	70	2	Reynolds.
391	2	Artz.	25 (on face of ballot) ..	2	Butler.
156	2	Reynolds.	64	2	Reynolds.
255	2	Reynolds.	51	2	Reynolds.
60	2	Reynolds.	388	2	Reynolds.
55	2	Reynolds.	68	2	Butler.
16	2	Reynolds.	242	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
447	2	Reynolds.	210	2	Butler.
52	2	Butler.	None	1	Butler.
82	2	Butler.	208	2	Butler.
389	2	Butler.	177	2	Butler.
381	2	Butler.	298	2	Butler.
86	2	Reynolds.	339	2	Butler.
439	2	Reynolds.	237	2	Butler.
130	2	Reynolds.	17	1	Butler.
47	2	Reynolds.	306	2	Butler.
41	2	Butler.	309	2	Butler.
95	2	Butler.	12	2	Butler.
87	2	Butler.	37	2	Butler.
153	2	Butler.	318	2	Butler.
3	2	Butler.	102	2	Butler.
386	2	Butler.	112	2	Butler.
286	2	Butler.	108	2	Butler.
297	2	Butler.	26	1	Butler.
11	1	Butler.	8	2	Butler.
13	1	Butler.	319	2	Butler.
71	2	Butler.	66	2	Reynolds.
313	2	Butler.	288	2	Butler.
32	2	Butler.	322	2	Butler.
147	2	Butler.	321	2	Butler.
140	1	Butler.	320	2	Butler.
141	2	Butler.	93	2	Reynolds.
24 (on face of ballot)	2	Butler.	35 (on face of ballot)	2	Reynolds.
114	2	Butler.	1	2	Reynolds.
119	2	Butler.	78	2	Reynolds.
317	2	Butler.	67	2	Reynolds.
10	2	Butler.	77	2	Reynolds.
220	2	Butler.	425	2	Reynolds.
249	2	Butler.	53	2	Reynolds.
304	2	Butler.	5	2	Reynolds.
138	2	Butler.	205	2	Reynolds.
141	2	Butler.	271	2	Butler.
100	2	Butler.	185	2	Butler.
56	2	Butler.	22	1	Butler.
225	2	Butler.	355	2	Butler.
214	2	Butler.	301	2	Butler.
38	2	Butler.	421	2	Butler.
27	2	Butler.	418	2	Butler.
358	2	Butler.	29 (on face of ballot)	2	Butler.
385	2	Butler.	301	2	Butler.
373	2	Butler.	39	1	Butler.
321	2	Butler.	229	2	Butler.
416	2	Butler.	103	2	Butler.
347	2	Butler.	143	2	Butler.
376	2	Butler.	253	2	Butler.
369	2	Butler.	18	1	Butler.
367	2	Butler.	59	2	Butler.
434	2	Butler.	188	2	Butler.
206	2	Butler.	109	2	Butler.
198	2	Butler.	390	2	Butler.
201	2	Butler.	379	2	Butler.
162	2	Butler.	110	2	Butler.
89	2	Butler.	316	2	Butler.
349	2	Butler.	356	2	Butler.
None	2	Butler.	377	2	Butler.
197	1	Butler.	341	2	Butler.
222	2	Butler.	410	2	Butler.
63	2	Butler.	128	2	Butler.
126	2	Reynolds.	340	2	Butler.
50	2	Reynolds.	267	2	Butler.
346	2	Butler.	448	2	Butler.
212	2	Butler.	275	2	Butler.
225	2	Butler.	333	2	Reynolds.
194	2	Butler.	167	2	Butler.
231	2	Butler.	411	2	Butler.
74	2	Butler.	236	2	Butler.
20	1	Butler.	134	2	Butler.
46	2	Butler.	308	2	Butler.
62	2	Butler.	6	2	Butler.
289	2	Butler.	311	2	Butler.
295	2	Butler.	362	2	Butler.
293	2	Butler.	295	2	Butler.
98	2	Butler.	251	2	Butler.
97	2	Butler.	317	2	Butler.
402	2	Butler.	137	2	Butler.
211	2	Butler.	366	2	Butler.
244	2	Butler.	310	2	Butler.
314	2	Butler.	315	2	Butler.
337	2	Butler.	357	2	Butler.
345	2	Butler.	365	2	Butler.
248	2	Butler.	368	2	Butler.
384	2	Butler.	15	1	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
193	2	Butler.	458	2	Butler.
245	2	Butler.	398	2	Butler.
395	1	Butler.	451	2	Butler.
125	2	Butler.	336	2	Butler.
291	2	Butler.	234	2	Butler.
217	2	Butler.	199	2	Butler.
28	2	Butler.	429	2	Butler.
348	2	Butler.	437	2	Butler.
423	2	Butler.	424	2	Butler.
230	2	Butler.	445	2	Butler.
118	2	Butler.	375	2	Butler.
223	2	Butler.	168	2	Butler.
343	2	Butler.	415	2	Butler.
350	2	Butler.	440	2	Butler.
351	2	Butler.	405	2	Butler.
403	2	Butler.	452	2	Butler.
165	2	Butler.	370	2	Butler.
146	2	Butler.	449	2	Butler.
378	2	Butler.	460	2	Butler.
104	2	Butler.	292	2	Butler.
432	2	Butler.	290	2	Butler.
342	2	Butler.	406	2	Butler.
364	2	Butler.	273	2	Butler.
251	2	Butler.	284	2	Butler.
259	2	Butler.	407	2	Butler.
374	2	Butler.	116	2	Butler.
200	2	Butler.	450	2	Butler.
256	2	Butler.	412	2	Butler.
173	2	Butler.	58	2	Butler.
163	2	Butler.	456	2	Butler.
213	2	Butler.	454	2	Butler.
150	2	Butler.	430	2	Butler.
233	2	Butler.	400	2	Butler.
274	2	Butler.	246	2	Butler.
132	2	Butler.	409	2	Butler.
457	2	Butler.	169	2	Butler.
44	2	Butler.	136	2	Butler.
420	2	Butler.	184	2	Butler.
133	2	Butler.	451	1	Butler.
426	2	Butler.	260	2	Butler.
413	2	Butler.	363	2	Butler.
442	2	Butler.	96	2	Butler.
359	2	Butler.	361	2	Butler.
94	2	Butler.	91	2	Butler.
176	2	Butler.	84	2	Butler.
227	2	Butler.	335	2	Butler.
238	2	Butler.	344	2	Butler.
371	2	Butler.	446	2	Butler.
186	2	Butler.	270	2	Butler.
175	2	Butler.	263	2	Butler.
226	2	Butler.	228	2	Butler.
145	2	Butler.	444	2	Butler.
243	2	Butler.	419	2	Butler.
172	2	Butler.	158	2	Butler.
174	2	Butler.	189	2	Butler.
192	2	Butler.	178	2	Butler.
166	2	Butler.	183	2	Butler.
171	2	Butler.	187	2	Butler.
216	2	Butler.	33	2	Butler.
353	1	Butler.	170	2	Butler.
90	2	Nobody.	69	2	Butler.
196	2	Butler.	151	2	Butler.
19	1	Butler.	135	2	Butler.
72	2	Butler.	305	2	Butler.
393	2	Butler.	428	2	Butler.
142	2	Butler.	57	2	Reynolds.
247	2	Butler.	21	1	Butler.
392	2	Butler.	81	2	Butler.
312	2	Butler.	148	1	Butler.
360	2	Butler.	164	2	Butler.
195	2	Butler.	23	1	Butler.
245	2	Butler.	351 (on face of ballot)...	2	Butler.
111	2	Butler.	296	2	Butler.
338	2	Butler.	294	2	Butler.
4 (on face of ballot)...	2	Butler.	281	2	Butler.
417	2	Butler.	264	2	Butler.
414	2	Butler.	31	2	Butler.
54	2	Butler.	204	2	Butler.
241	2	Butler.	80	2	Butler.
455	2	Butler.	34	2	Butler.
401	2	Butler.	265	2	Butler.
422	2	Butler.	279	2	Butler.
408	2	Butler.	139	2	Butler.
372	2	Butler.	283	2	Butler.
224	2	Butler.	268	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
278	2	Butler.	239	2	Butler.
117	2	Nobody.	152	2	Butler.
282	2	Butler.	218	2	Butler.
284	2	Butler.	113	2	Butler.
272	2	Butler.	240	2	Butler.
280	2	Butler.	149	2	Butler.
276	2	Butler.	258	2	Butler.
269	2	Butler.	299	2	Butler.
261	2	Butler.	262	2	Butler.
219	2	Butler.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. We have.

JOHN ELLSPERMANN, JR.

Subscribed and sworn to before me this 11th day of February, 1903.

[SEAL.]

J. T. SANDERS,
Notary Public, City of St. Louis, Mo.

My term expires April 3, 1905.

STATE OF MISSOURI, *City of St. Louis, ss:*

I, J. T. Sanders, a notary public within and for the city of St. Louis and State of Missouri, duly authorized to take depositions according to law, do hereby certify that, in pursuance of notice duly served and attached to deposition in this cause taken by A. R. Russell, notary public, the following witness, to wit, John Ellspermann, jr., of the city of St. Louis, State of Missouri, came before me at the city hall, in the said city and State, on the 9th day of February, 1903, who was by me sworn to testify the truth, the whole truth, and nothing but the truth, of his knowledge touching the matters in controversy in the contested-election case now pending in Congress wherein George D. Reynolds is contestant and James J. Butler is the contestee for the seat of Representative in the Fifty-eighth Congress for the Twelfth Congressional district for the State of Missouri; that he was examined and his examination was reduced to writing, and subscribed by him in my presence on this 11th day of February, 1903, in the city and State aforesaid, and his said deposition is herewith returned.

[SEAL.]

J. T. SANDERS,
Notary Public, City of St. Louis, Mo.

My term expires April 3, 1905.

Deposition of John Ellspermann, jr., a witness produced, sworn, and examined before me, the undersigned, notary public within and for the State of Missouri and city of St. Louis, and residing within the Twelfth Congressional district of said State, produced, sworn, and examined on the 10th day of February, 1903, at the office and rooms of the board of election commissioners of the city of St. Louis, Mo., in the city hall of said city of St. Louis, in the contested election case now pending before the Fifty-eighth Congress of the United States, from the Twelfth Congressional district of Missouri, wherein George D. Reynolds is the contestant and James J. Butler is the contestee, on behalf of the contestant, George D. Reynolds.

Pursuant to adjournment the taking of depositions was resumed this 10th day of February, 1903.

By Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the ninth precinct of the Fourth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri, for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
222	1	Butler.	177	2	Butler.
175	1	Butler.	120	2	Butler.
144	2	Butler.	138	2	Butler.
129	2	Butler.	127	2	Butler.
110	2	Butler.	43	2	Butler.
104	2	Reynolds.	73	2	Butler.
6	2	Reynolds.	186	1	Butler.
171	2	Reynolds.	185	1	Butler.
7	2	Reynolds.	181	1	Butler.
74	2	Reynolds.	163	2	Butler.
10	2	Reynolds.	150	2	Butler.
36	2	Reynolds.	170	2	Butler.
68	2	Reynolds.	117	2	Butler.
66	2	Reynolds.	173	2	Butler.
118	2	Reynolds.	154	2	Butler.
63	2	Reynolds.	230	2	Butler.
75	2	Reynolds.	107	2	Butler.
60	2	Reynolds.	100	2	Butler.
2	2	Reynolds.	117	2	Butler.
16	2	Reynolds.	79	2	Butler.
76	2	Reynolds.	219	1	Butler.
1	2	Reynolds.	123	2	Butler.
159	2	Reynolds.	165	2	Butler.
131	2	Reynolds.	217	1	Butler.
28	2	Reynolds.	215	1	Butler.
32	2	Reynolds.	27	2	Butler.
58	2	Bilsbarrow.	182	2	Butler.
70	2	Rocker.	224	2	Butler.
15	1	Rocker.	87	2	Butler.
17	2	Artz.	122	2	Butler.
29	2	Artz.	98	2	Butler.
33	2	Butler.	184	1	Butler.
210	1	Butler.	51	2	Butler.
128	2	Reynolds.	218	1	Butler.
18	2	Butler.	142	2	Butler.
181	2	Butler.	130	2	Butler.
223	1	Butler.	270	1	Butler.
134	2	Butler.	158	2	Butler.
213	1	Butler.	106	2	Butler.
123	2	Butler.	54	2	Butler.
220	1	Butler.	231	2	Butler.
57	2	Butler.	97	2	Butler.
182	1	Butler.	172	2	Butler.
183	1	Butler.	47	2	Butler.
23	2	Butler.	50	2	Butler.
115	2	Butler.	120	2	Butler.
137	2	Butler.	49	2	Butler.
127	2	Butler.	149	2	Butler.
42	2	Butler.	81	2	Butler.
124	2	Butler.	119	2	Butler.
133	2	Butler.	8	2	Butler.
24	2	Reynolds.	31	2	Butler.
67	2	Reynolds.	118	2	Butler.
40	2	Reynolds.	128	2	Butler.
35	2	Reynolds.	69	2	Butler.
None	2	Nobody.	65	2	Butler.
236	2	Nobody.	126	2	Butler.
136	2	Butler.	174	2	Butler.
138	2	Butler.	53	2	Butler.
154	2	Butler.	44	2	Butler.
137	2	Butler.	128	2	Butler.
95	2	Butler.	183	2	Butler.
137	2	Butler.	302	1	Butler.
212	2	Butler.	324	2	Butler.
220	2	Butler.	323	1	Butler.
189	2	Butler.	303	1	Butler.
163	2	Butler.	320	1	Butler.
180	1	Butler.	304	1	Butler.
161	2	Butler.	325	1	Butler.
114	2	Butler.	305	1	Butler.
116	2	Butler.	318	1	Butler.
140	2	Butler.	307	1	Butler.
139	1	Butler.	306	1	Butler.
225	1	Butler.	321	1	Butler.
156	2	Butler.	222	1	Butler.
168	2	Butler.	315	1	Butler.
14	2	Reynolds.	319	1	Butler.
108	2	Butler.	317	1	Butler.
38	2	Butler.	310	1	Butler.
120	2	Butler.	314	1	Butler.
166	2	Butler.	308	1	Butler.
19	2	Reynolds.	312	1	Butler.
214	1	Butler.	352	1	Butler.
121	2	Butler.	351	1	Butler.
151	2	Butler.	349	1	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
115	2	Butler.	157	2	Butler.
147	2	Butler.	185	2	Butler.
146	2	Butler.	164	2	Butler.
232	2	Butler.	156	2	Butler.
143	2	Butler.	136	2	Butler.
62	2	Butler.	152	2	Butler.
160	2	Butler.	159	2	Butler.
132	2	Butler.	144	2	Butler.
241	2	Butler.	9	2	Butler.
125	2	Butler.	131	2	Butler.
22	2	Butler.	99	2	Butler.
121	2	Butler.	169	2	Butler.
155	2	Butler.	167	2	Butler.
11	1	Butler.	139	2	Butler.
103	2	Butler.	159	2	Butler.
179	2	Butler.	150	2	Butler.
30	2	Butler.	176	2	Butler.
41	2	Butler.	215	1	Butler.
167	2	Butler.	192	1	Butler.
149	2	Butler.	157	2	Butler.
96	2	Butler.	102	2	Butler.
134	2	Butler.	169	2	Butler.
146	2	Butler.	145	2	Butler.
160	2	Butler.	222	1	Butler.
151	2	Butler.	240	2	Butler.
124	2	Butler.	101	2	Butler.
164	2	Butler.	275	1	Butler.
168	2	Butler.	162	2	Butler.
142	2	Butler.	4	2	Butler.
139	2	Butler.	59	2	Butler.
26	2	Butler.	148	2	Butler.
85	2	Butler.	125	2	Butler.
141	2	Butler.	162	2	Butler.
89	2	Butler.	153	2	Butler.
86	2	Butler.	84	1	Butler.
91	2	Butler.	152	2	Butler.
93	2	Butler.	88	2	Butler.
None	2	Butler.	90	2	Butler.
163	2	Butler.	72	2	Butler.
92	2	Butler.	130	2	Butler.
160	2	Butler.	83	2	Butler.
122	2	Butler.	135	2	Butler.
158	2	Butler.	45	2	Butler.
183	2	Butler.	82	2	Butler.
235	2	Butler.	94	2	Butler.
161	2	Butler.			

Q. Have you counted all the ballots contained in the box?—A. I have.

Mr. HOLTCAMP. Will you now produce, open, and count the ballots cast in the seventh precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of the Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of each ballot, the initials, and for whom voted?

A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
75	2	Butler.	33	2	Reynolds.
74	2	Butler.	134	2	Reynolds.
73	2	Reynolds.	127	2	Reynolds.
235	2	Reynolds.	14	2	Reynolds.
71	2	Butler.	29	3	Reynolds.
161	2	Reynolds.	70	2	Reynolds.
240	2	Butler.	116	2	Reynolds.
None	2	Butler.	166	2	Reynolds.
222	2	Butler.	258	2	Reynolds.
176	2	Butler.	191	2	Reynolds.
219	1	Butler.	91	2	Reynolds.
216	1	Butler.	43	2	Reynolds.
150	2	Reynolds.	None	None.	Reynolds.
34	2	Reynolds.	72	2	Reynolds.
58	2	Reynolds.	62	2	Reynolds.
197	2	Reynolds.	262	2	Reynolds.
25	2	Reynolds.	233	2	Reynolds.
22	2	Reynolds.	234	2	Reynolds.
284	None.	Reynolds.	242	2	Reynolds.
261	2	Reynolds.	None	2	Reynolds.
106	2	Reynolds.	218	2	Reynolds.
83	2	Reynolds.	194	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
None	None.	Reynolds.	230	2	Butler.
271	2	Reynolds.	200	2	Butler.
190	1	Reynolds.	None	None.	Butler.
178	2	Reynolds.	171	2	Butler.
224	2	Reynolds.	170	2	Butler.
144	2	Reynolds.	97	2	Butler.
181	2	Reynolds.	None	None.	Butler.
245	2	Reynolds.	165	2	Butler.
288	2	Reynolds.	101	2	Butler.
177	2	Reynolds.	160	2	Butler.
195	2	Reynolds.	263	2	Butler.
192	2	Reynolds.	52	2	Butler.
243	2	Reynolds.	45	2	Butler.
217	2	Reynolds.	69	2	Butler.
248	2	Reynolds.	77	2	Butler.
111	2	Reynolds.	56	2	Butler.
65	2	Reynolds.	152	2	Butler.
225	2	Reynolds.	68	2	Butler.
257	2	Reynolds.	123	2	Butler.
112	2	Reynolds.	187	2	Butler.
122	2	Butler.	138	2	Butler.
None	2	Reynolds.	136	2	Butler.
193	1	Reynolds.	93	2	Butler.
None	2	Reynolds.	110	2	Butler.
46	2	Reynolds.	174	2	Butler.
135	2	Butler.	149	2	Butler.
48	2	Butler.	180	1	Butler.
28	2	Butler.	80	2	Butler.
13	2	Butler.	106	2	Butler.
38	2	Butler.	256	2	Butler.
189	1	Butler.	206	2	Butler.
26	2	Reynolds.	None	None.	Butler.
47	2	Butler.	249	2	Butler.
37	2	Butler.	167	2	Butler.
136	2	Butler.	108	1	Butler.
281	2	Butler.	280	2	Butler.
241	2	Butler.	269	2	Butler.
76	2	Butler.	279	2	Butler.
169	2	Butler.	265	2	Butler.
102	2	Butler.	164	2	Butler.
40	2	Butler.	87	2	Butler.
104	2	Butler.	85	2	Butler.
44	2	Butler.	21	2	Butler.
64	2	Butler.	179	2	Butler.
137	2	Butler.	36	2	Butler.
143	2	Butler.	27	2	Butler.
148	2	Butler.	211	2	Butler.
131	2	Butler.	153	1	Butler.
184	1	Butler.	None	None.	Butler.
132	2	Butler.	119	2	Butler.
199	1	Butler.	1	2	Butler.
264	2	Butler.	117	2	Butler.
238	2	Butler.	251	2	Butler.
214	1	Butler.	212	2	Butler.
221	2	Butler.	231	2	Butler.
81	2	Butler.	220	2	Butler.
155	2	Butler.	246	2	Butler.
57	2	Butler.	223	2	Butler.
283	None.	Butler.	120	2	Butler.
None	None.	Butler.	158	2	Butler.
60	2	Butler.	260	2	Butler.
99	2	Butler.	125	2	Butler.
244	2	Butler.	24	1	Butler.
32	2	Butler.	188	1	Butler.
118	2	Butler.	198	2	Butler.
115	2	Butler.	201	2	Butler.
128	2	Butler.	129	2	Butler.
146	2	Butler.	273	2	Butler.
77	2	Butler.	19	2	Butler.
69	2	Butler.	285	2	Butler.
202	2	Butler.	42	2	Butler.
215	1	Butler.	270	2	Butler.
173	2	Butler.	None	None.	Butler.
15	None.	Butler.	None	None.	Butler.
196	2	Butler.	147	1	Butler.
203	2	Butler.	141	2	Butler.
114	2	Butler.	30	2	Nobody.
239	2	Butler.	None	2	Butler.
237	2	Butler.	278	2	Butler.
None	None.	Butler.	84	2	Butler.
157	2	Butler.	255	2	Butler.
135	2	Butler.	274	2	Butler.
None	None.	Butler.	277	2	Butler.
53	2	Nobody.	236	2	Nobody.
None	2	Butler.	20 and 26	2	Butler.
59	2	Butler.	267	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
100	2	Butler.	39	2	Butler.
27	2	Butler.	175	2	Butler.
268	2	Butler.	130	2	Butler.
168	None.	Butler.	88	2	Butler.
None	None.	Butler.	None	2	Butler.
272	2	Butler.	234	2	Butler.
89	2	Butler.	124	2	Butler.
252	2	Butler.	210	2	Butler.
90	2	Butler.	266	2	Butler.
17	None.	Butler.	206	2	Butler.
185	1	Butler.	95	2	Butler.
183	2	Butler.	185	1	Butler.
49	2	Butler.	287	2	Butler.
31	2	Butler.	275	2	Butler.
107	2	Butler.	82	2	Butler.
96	2	Butler.	109	2	Butler.
139	2	Butler.	92	2	Butler.
94	2	Butler.	126	2	Butler.
None	None	Butler.	229	2	Butler.
208	2	Butler.	142	2	Butler.
41	2	Butler.	140	2	Butler.
213	2	Butler.	286	2	Butler.
63	2	Butler.	253	2	Butler.
54	2	Butler.	172	1	Butler.
247	2	Butler.	163	2	Butler.
205	2	Butler.	78	2	Butler.
98	2	Butler.	55	2	Butler.
250	2	Butler.	None	None.	Butler.
133	2	Butler.	79	2	Butler.
66	2	Butler.	207	1	Butler.
162	2	Butler.	204	2	Butler.
189	1	Butler.	121	2	Butler.
135	2	Butler.	101	2	Butler.
50	2	Butler.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Not being able to complete the taking of the depositions I now adjourn the further taking of the same until 1 p. m.

[SEAL.]

HENRY A. BAKER, *Notary Public.*

Pursuant to adjournment until 1 o'clock p. m., I now resume the further taking of said depositions.

By Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the third precinct of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
77	2	Butler.	141	2	Butler.
287	2	Butler.	59	2	Butler.
228	2	Butler.	161	2	Butler.
214	2	Butler.	223	2	Butler.
258	2	Butler.	None	None.	Butler.
81	2	Butler.	70	2	Butler.
202	2	Butler.	80	2	Butler.
58	2	Butler.	98	2	Butler.
236	2	Butler.	9	2	Butler.
281	2	Butler.	46	2	Butler.
281	2	Butler.	165	2	Butler.
256	2	Butler.	107	2	Butler.
211	2	Butler.	17	2	Butler.
282	2	Butler.	216	2	Butler.
None	None.	Butler.	None	2	Butler.
119	2	Butler.	76	2	Butler.
125	2	Butler.	173	2	Butler.
45	2	Butler.	85	2	Butler.
71	2	Butler.	117	2	Butler.
166	2	Butler.	68	2	Butler.
169	2	Butler.	268	2	Butler.
95	2	Butler.	226	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
284	2	Butler.	61	2	Butler.
278	2	Butler.	11	2	Butler.
287	2	Butler.	173	2	Butler.
279	2	Butler.	142	2	Butler.
12	2	Butler.	189	2	Butler.
280	2	Butler.	87	2	Butler.
18	2	Butler.	90	2	Butler.
72	2	Butler.	74	2	Butler.
55	2	Butler.	116	2	Butler.
289	2	Butler.	154	2	Butler.
112	2	Butler.	255	2	Butler.
None	None.	Butler.	227	2	Butler.
231	2	Butler.	259	2	Butler.
264	2	Butler.	5	2	Butler.
286	2	Butler.	265	2	Butler.
285	2	Butler.	290	2	Butler.
222	2	Butler.	143	2	Butler.
100	2	Butler.	288	2	Butler.
273	2	Butler.	None	2	Butler.
None	2	Butler.	13	2	Butler.
284	2	Butler.	285	2	Butler.
271	2	Butler.	248	2	Butler.
254	2	Butler.	215	2	Butler.
92	2	Butler.	244	2	Butler.
225	2	Butler.	217	2	Butler.
159	2	Butler.	261	2	Butler.
113	2	Butler.	218	2	Butler.
283	2	Butler.	232	2	Butler.
16	2	Butler.	229	2	Butler.
103	2	Butler.	209	2	Butler.
278	2	Butler.	63	3	Butler.
277	2	Butler.	105	2	Butler.
290	2	Butler.	23	2	Butler.
57	2	Butler.	157	2	Butler.
279	2	Butler.	24	2	Butler.
280	2	Butler.	73	2	Butler.
290	2	Butler.	207	2	Butler.
64	2	Butler.	126	2	Butler.
263	2	Butler.	235	2	Butler.
249	2	Butler.	243	2	Butler.
99	2	Butler.	26	2	Butler.
213	2	Butler.	1	2	Butler.
109	2	Butler.	252	2	Butler.
274	2	Butler.	201	2	Butler.
27	2	Butler.	167	2	Butler.
282	2	Butler.	128	2	Butler.
283	2	Butler.	149	2	Butler.
286	2	Butler.	7	2	Butler.
276	2	Butler.	155	2	Butler.
220	2	Butler.	5	2	Butler.
224	2	Butler.	185	2	Butler.
272	2	Butler.	247	2	Butler.
69	2	Butler.	175	2	Butler.
47	2	Butler.	93	2	Nobody.
246	2	Butler.	4	2	Butler.
50	2	Butler.	67	2	Nobody.
262	2	Butler.	176	2	Nobody.
181	2	Butler.	179	2	Butler.
238	2	Butler.	37	2	Butler.
286	2	Butler.	181	2	Butler.
183	2	Butler.	122	2	Butler.
146	2	Butler.	48	2	Butler.
138	2	Butler.	88	2	Butler.
182	2	Butler.	25	2	Butler.
186	2	Butler.	180	2	Butler.
134	2	Butler.	186	2	Butler.
78	2	Butler.	190	2	Butler.
79	2	Butler.	150	2	Butler.
49	2	Butler.	152	2	Butler.
122	2	Butler.	241	2	Butler.
187	2	Butler.	168	2	Butler.
1	2	Butler.	242	2	Reynolds.
22	2	Butler.	240	2	Butler.
127	2	Butler.	111	2	Butler.
219	2	Butler.	42	2	Butler.
8	2	Butler.	123	2	Butler.
221	2	Butler.	131	2	Butler.
120	2	Butler.	158	2	Butler.
3	2	Butler.	171	2	Butler.
52	2	Butler.	148	2	Butler.
125	2	Butler.	160	2	Butler.
29	2	Butler.	144	2	Butler.
84	2	Butler.	147	2	Butler.
114	2	Butler.	163	2	Butler.
60	2	Butler.	139	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
66	2	Butler.	208	2	Reynolds.
140	2	Butler.	190	2	Reynolds.
178	2	Butler.	237	2	Reynolds.
86	2	Butler.	259	2	Reynolds.
172	2	Butler.	245	2	Reynolds.
34	2	Butler.	137	2	Reynolds.
97	2	Butler.	210	2	Reynolds.
164	2	Butler.	156	2	Reynolds.
179	2	Butler.	101	2	Reynolds.
15	2	Butler.	264	2	Reynolds.
202	2	Reynolds.	124	2	Reynolds.
251	2	Reynolds.	41	2	Reynolds.
36	2	Reynolds.	207	2	Reynolds.
106	2	Reynolds.	108	2	Reynolds.
170	2	Reynolds.	132	2	Reynolds.
203	2	Reynolds.	94	2	Butler.
104	2	Reynolds.	102	2	Reynolds.
231	2	Nobody.	132	2	Reynolds.
51	2	Reynolds.	9	2	Butler.
91	2	Billsbarrow.	82	2	Butler.
39	2	Rocker.	31	2	Butler.
257	2	Rocker.	174	2	Butler.
65	2	Rocker.	177	2	Butler.
43	2	Reynolds.	162	2	Butler.
206	2	Reynolds.	187	2	Butler.
205	2	Reynolds.	100	2	Butler.
249	2	Reynolds.	75	2	Butler.
8	2	Reynolds.	2	1	Butler.
None	2	Reynolds.	10	2	Butler.
145	2	Reynolds.	153	2	Butler.
129	2	Reynolds.	178	2	Butler.
53	2	Reynolds.	62	2	Butler.
44	2	Reynolds.	118	2	Butler.
40	2	Reynolds.	121	2	Butler.
239	2	Reynolds.	19	2	Butler.
83	2	Reynolds.	14	2	Butler.
33	2	Reynolds.	54	2	Butler.
133	2	Reynolds.	151	2	Butler.
115	2	Reynolds.	189	2	Butler.
360	2	Reynolds.	30	2	Butler.
20	2	Reynolds.	135	2	Butler.
96	2	Reynolds.	38	2	Butler.
35	2	Reynolds.	233	2	Butler.
204	2	Reynolds.	130	2	Butler.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

JOHN ELLSPERMANN, Jr.

STATE OF MISSOURI, *City of St. Louis, ss:*

Subscribed and sworn to before me this 11th day of February, 1903.

[SEAL.]

HENRY A. BAKER, *Notary Public.*

My commission expires January 18, 1907.

I, Henry A. Baker, a notary public within and for the city of St. Louis and State of Missouri, and residing within the Twelfth Congressional district of said State, do certify that pursuant to notice dated January 29 and duly served, which said notice is attached to the testimony returned by A. R. Russell, notary public herein, John Ellspermann, jr., came before me at the office and rooms of the board of election commissioners of the city of St. Louis, in the city hall of said city; that the said person was by me sworn to testify the whole truth of his knowledge touching the matter in controversy aforesaid; that he was examined and the examination was reduced to writing and subscribed by him in my presence on the days and at the place aforesaid, and his deposition is now herewith returned.

[SEAL.]

HENRY A. BAKER,
Notary Public, City of St. Louis, Mo.

My notarial commission expires on the 18th day of January, 1907.

Deposition of John Ellspermann, jr., witness, produced, sworn, and examined before me, the undersigned, notary public within and for the State of Missouri and city of St. Louis, and residing within the Twelfth Congressional district of said State, produced, sworn, and examined on the 10th and 11th days of February, 1903, at the office and rooms of the board of election commissioners of the city of St. Louis, Mo., in the city hall of said city of St. Louis, in the contested-election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, wherein George D. Reynolds is the contestant and James J. Butler is the contestee, on behalf of the contestant, George D. Reynolds.

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the First precinct of the Fourteenth Ward, at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. We will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
76	2	Butler.	38	2	Butler.
142	2	Butler.	111	2	Butler.
46	2	Butler.	36	2	Butler.
82	2	Butler.	42	2	Butler.
54	2	Butler.	135	2	Butler.
221	2	Butler.	47	2	Butler.
41	2	Butler.	162	2	Butler.
9	2	Butler.	117	2	Reynolds.
52	2	Butler.	1	2	Reynolds.
13	2	Butler.	91	2	Butler.
39	1	Butler.	194	2	Reynolds.
224	2	Butler.	165	2	Reynolds.
74	2	Artz.	85	2	Butler.
200	2	Artz.	122	2	Butler.
5	2	Artz.	103	2	Reynolds.
88	2	Reynolds.	98	2	Reynolds.
198	2	Butler.	263	2	Reynolds.
7	2	Nobody.	169	2	Reynolds.
126	2	Nobody.	167	2	Reynolds.
4	2	Nobody.	173	2	Reynolds.
186	2	Butler.	34	2	Reynolds.
132	2	Butler.	33	2	Reynolds.
170	2	Butler.	95	2	Reynolds.
145	2	Butler.	193	2	Reynolds.
152	2	Butler.	31	2	Reynolds.
223	2	Butler.	202	2	Reynolds.
154	2	Butler.	163	2	Reynolds.
174	2	Butler.	104	2	Reynolds.
86	2	Butler.	200	2	Reynolds.
68	2	Butler.	107	2	Reynolds.
178	2	Butler.	101	2	Reynolds.
53	2	Butler.	109	2	Reynolds.
147	2	Butler.	20	2	Reynolds.
139	2	Butler.	180	2	Reynolds.
131	2	Butler.	115	2	Reynolds.
137	2	Butler.	3	2	Reynolds.
161	2	Butler.	73	2	Reynolds.
158	2	Butler.	211	2	Reynolds.
71	2	Butler.	210	2	Reynolds.
149	2	Butler.	21	2	Reynolds.
60	2	Butler.	32	2	Reynolds.
12	2	Butler.	179	2	Reynolds.
197	2	Butler.	62	2	Reynolds.
205	2	Butler.	96	2	Reynolds.
124	2	Butler.	118	2	Reynolds.
218	2	Butler.	201	2	Reynolds.
140	2	Butler.	208	2	Reynolds.
150	2	Butler.	188	2	Reynolds.
128	2	Butler.	114	2	Reynolds.
224	2	Butler.	113	2	Reynolds.
157	2	Butler.	108	2	Reynolds.
156	2	Butler.	182	2	Reynolds.
59	2	Butler.	79	2	Reynolds.
55	2	Butler.	134	2	Butler.
159	2	Butler.	22	2	Butler.
69	2	Butler.	35	2	Butler.
148	2	Butler.	225	2	Butler.
185	2	Butler.	217	2	Butler.
80	2	Reynolds.	216	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
93	2	Butler.	83	2	Butler.
94	2	Butler.	72	2	Butler.
164	2	Butler.	89	2	Nobody.
75	2	Butler.	84	2	Butler.
171	2	Butler.	81	2	Butler.
190	2	Butler.	64	2	Butler.
191	2	Butler.	56	2	Butler.
11	2	Butler.	110	2	Butler.
27	2	Butler.	184	2	Butler.
15	2	Butler.	100	2	Reynolds.
123	2	Butler.	63	2	Butler.
219	2	Butler.	65	2	Butler.
206	2	Butler.	58	2	Butler.
102	2	Butler.	26	2	Butler.
199	2	Butler.	23	2	Butler.
166	2	Butler.	18	2	Butler.
207	2	Nobody.	70	2	Butler.
187	2	Reynolds.	213	2	Butler.
222	2	Butler.	2	2	Butler.
214	2	Butler.	226	2	Butler.
212	2	Butler.	99	2	Butler.
192	2	Butler.	24	2	Butler.
181	2	Butler.	48	2	Butler.
125	2	Butler.	127	2	Butler.
141	2	Butler.	120	2	Butler.
57	2	Butler.	16	2	Butler.
183	2	Butler.	310	2	Butler.
106	2	Butler.	196	2	Butler.
220	2	Butler.	133	2	Butler.
119	2	Butler.	30	2	Butler.
105	2	Butler.	175	2	Butler.
168	2	Butler.	61	2	Butler.
172	2	Reynolds.	66	2	Butler.
92	2	Butler.			

Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the sixth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of the initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
10	2	Reynolds.	111	2	Butler.
42	2	Reynolds.	60	2	Butler.
174	2	Reynolds.	152	2	Butler.
123	2	Reynolds.	144	1	Butler.
4	2	Reynolds.	137	2	Butler.
36	2	Butler.	82	2	Butler.
187	2	Butler.	39	2	Reynolds.
107	2	Reynolds.	97	2	Butler.
56	2	Reynolds.	108	2	Butler.
27	2	Reynolds.	113	2	Butler.
155	2	Reynolds.	92	2	Butler.
180	2	Reynolds.	160	2	Butler.
154	2	Reynolds.	99	2	Butler.
235	2	Reynolds.	241	2	Butler.
219	2	Reynolds.	101	2	Butler.
7	2	Reynolds.	84	2	Butler.
28	2	Reynolds.	92	2	Butler.
489	2	Reynolds.	136	2	Butler.
21	2	Reynolds.	241	2	Butler.
54	2	Reynolds.	150	2	Butler.
79	2	Reynolds.	145	2	Butler.
214	2	Reynolds.	139	2	Butler.
40	2	Reynolds.	105	2	Butler.
130	2	Butler.	35	2	Butler.
48	2	Reynolds.	85	2	Butler.
244	2	Butler.	91	2	Butler.
218	2	Reynolds.	148	2	Butler.
93	2	Butler.	25	2	Nobody.
164	2	Butler.	86	2	Butler.
140	2	Butler.	200	2	Butler.
104	2	Butler.	95	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
96	2	Butler.	165	2	Butler.
90	2	Butler.	219	2	Butler.
240	2	Butler.	181	2	Butler.
12	2	Butler.	20	2	Butler.
49	2	Reynolds.	39	2	Butler.
87	2	Butler.	124	2	Butler.
6	2	Butler.	57	2	Butler.
106	2	Butler.	132	2	Butler.
84	2	Butler.	163	2	Butler.
247	2	Butler.	3	1	Butler.
45	2	Butler.	80	2	Butler.
109	2	Butler.	59	2	Butler.
149	2	Butler.	61	2	Butler.
103	2	Butler.	71	2	Butler.
197	2	Butler.	100	2	Butler.
223	2	Butler.	89	2	Butler.
186	2	Butler.	74	2	Butler.
201	None.	Reynolds.	159	2	Butler.
15	2	Reynolds.	176	2	Butler.
129	2	Reynolds.	213	2	Butler.
75	2	Reynolds.	236	2	Butler.
77	2	Reynolds.	135	2	Butler.
8	2	Reynolds.	46	2	Butler.
243	2	Reynolds.	232	2	Butler.
220	2	Reynolds.	146	2	Butler.
14	2	Reynolds.	329	2	Butler.
58	1	Reynolds.	223	2	Butler.
22	2	Reynolds.	231	2	Butler.
33	2	Reynolds.	232	2	Butler.
125	1	Reynolds.	146	2	Butler.
53	2	Reynolds.	205	2	Butler.
2	2	Reynolds.	206	2	Butler.
1	2	Reynolds.	207	2	Butler.
133	2	Reynolds.	208	2	Butler.
30	1	Reynolds.	195	2	Butler.
17	2	Reynolds.	19	2	Butler.
126	2	Reynolds.	196	2	Butler.
246	2	Reynolds.	23	2	Butler.
222	2	Reynolds.	63	2	Butler.
37	1	Reynolds.	122	2	Butler.
127	1	Reynolds.	115	2	Butler.
47	2	Reynolds.	18	2	Butler.
43	2	Reynolds.	117	2	Butler.
44	2	Reynolds.	138	2	Butler.
121	1	Reynolds.	141	2	Butler.
41	2	Reynolds.	13	2	Butler.
157	2	Butler.	32	2	Butler.
182	2	Butler.	16	2	Butler.
185	2	Butler.	116	2	Butler.
166	2	Butler.	120	2	Reynolds.
142	1	Butler.	52	2	Butler.
9	2	Butler.	98	2	Butler.
202	2	Butler.	235	2	Butler.
64	1	Butler.	237	2	Butler.
11	2	Butler.	65	2	Butler.
215	2	Butler.	234	2	Butler.
104	2	Butler.	233	2	Butler.
161	2	Butler.	204	2	Butler.
25	2	Butler.	215	2	Butler.
76	2	Butler.	68	2	Butler.
102	2	Butler.	199	1	Butler.
151	2	Butler.	203	2	Butler.
123	2	Butler.	153	2	Butler.
55	2	Butler.	84	2	Butler.
143	2	Butler.	162	2	Butler.
62	2	Butler.	156	1	Butler.
102	2	Butler.	171	2	Butler.
160	2	Butler.	170	2	Butler.
58	2	Butler.	178	2	Butler.
34	2	Butler.	177	2	Butler.
73	2	Butler.	179	2	Butler.
66	2	Butler.	212	2	Butler.
224	2	Butler.	168	2	Butler.
158	2	Butler.	191	2	Butler.
173	2	Butler.	190	2	Butler.
70	2	Butler.	189	2	Butler.
172	2	Butler.	188	2	Butler.
72	2	Butler.	187	2	Butler.
50	2	Butler.	211	2	Butler.
51	2	Butler.	210	2	Butler.
69	2	Butler.	209	2	Butler.
134	2	Butler.	194	2	Butler.
67	2	Butler.	193	2	Butler.
131	2	Butler.	192	2	Butler.
88	2	Butler.	175	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
118	2	Butler.	228	2	Butler.
169	2	Butler.	13	2	Butler.
119	2	Butler.	77	2	Butler.
242	2	Butler.	31	2	Butler.
227	2	Butler.	183	None.	Nobody.
226	2	Butler.	221	2	Butler.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the eleventh precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
106	2	Butler.	148	2	Reynolds.
81	2	Reynolds.	13	2	Reynolds.
95	2	Reynolds.	147	2	Reynolds.
54	2	Reynolds.	148	2	Reynolds.
99	2	Reynolds.	181	2	Reynolds.
52	2	Reynolds.	75	2	Reynolds.
57	2	Reynolds.	199	2	Reynolds.
47	2	Reynolds.	222	2	Reynolds.
226	2	Butler.	92	2	Reynolds.
132	2	Butler.	216	2	Reynolds.
114	2	Butler.	208	2	Butler.
174	2	Butler.	163	2	Butler.
128	2	Butler.	112	2	Butler.
97	2	Butler.	203	2	Butler.
32	2	Butler.	175	2	Butler.
193	2	Butler.	220	2	Butler.
223	2	Butler.	189	2	Butler.
188	2	Reynolds.	151	2	Butler.
185	2	Butler.	49	2	Butler.
141	2	Butler.	224	2	Butler.
140	2	Butler.	122	2	Butler.
187	2	Butler.	71	2	Butler.
121	2	Butler.	37	2	Butler.
70	2	Butler.	27	2	Butler.
174	2	Butler.	161	2	Butler.
136	2	Butler.	4	2	Reynolds.
165	2	Butler.	135	2	Butler.
182	2	Butler.	3	2	Butler.
56	2	Butler.	120	2	Butler.
115	2	Butler.	100	2	Butler.
117	2	Butler.	5	2	Butler.
118	2	Butler.	129	2	Butler.
22	2	Butler.	8	2	Butler.
183	2	Butler.	107	2	Butler.
61	2	Butler.	180	2	Butler.
206	2	Butler.	219	2	Reynolds.
108	2	Butler.	24	2	Butler.
90	2	Butler.	101	2	Butler.
210	2	Butler.	103	2	Butler.
214	2	Butler.	143	2	Butler.
207	2	Reynolds.	225	2	Butler.
44	2	Reynolds.	60	2	Butler.
29	2	Reynolds.	65	2	Butler.
63	2	Reynolds.	12	2	Butler.
51	2	Reynolds.	74	2	Butler.
15	2	Reynolds.	123	2	Butler.
156	2	Reynolds.	18	2	Butler.
72	2	Reynolds.	20	2	Butler.
9	2	Reynolds.	26	2	Butler.
96	2	Reynolds.	170	2	Butler.
153	2	Reynolds.	76	2	Butler.
7	2	Reynolds.	73	2	Butler.
91	2	Reynolds.	115	2	Butler.
98	2	Reynolds.	68	2	Butler.
194	2	Reynolds.	62	2	Butler.
53	2	Reynolds.	152	2	Butler.
15	2	Reynolds.	173	2	Butler.
66	2	Reynolds.	17	2	Butler.
204	2	Reynolds.	202	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
196	2	Butler.	16	2	Reynolds.
116	2	Butler.	77	2	Reynolds.
172	2	Butler.	20	2	Reynolds.
221	2	Butler.	186	2	Artz.
158	2	Butler.	21	2	Artz.
46	2	Butler.	209	2	Artz.
168	2	Butler.	138	2	Artz.
59	2	Butler.	119	2	Butler.
89	2	Butler.	176	2	Butler.
38	2	Butler.	137	2	Butler.
139	2	Butler.	190	2	Butler.
34	2	Butler.	86	2	Butler.
126	2	Butler.	105	2	Butler.
55	2	Butler.	150	2	Butler.
160	2	Butler.	167	2	Butler.
88	2	Butler.	125	2	Butler.
130	2	Butler.	159	2	Butler.
127	2	Butler.	1	2	Butler.
31	2	Butler.	133	None	Butler.
36	2	Butler.	40	2	Butler.
104	2	Butler.	11	2	Butler.
6	2	Butler.	129	2	Butler.
178	2	Butler.	112	2	Butler.
58	2	Butler.	197	2	Butler.
110	2	Butler.	80	2	Nobody.
33	2	Butler.	42	2	Reynolds.
154	2	Butler.	157	2	Jas. J. Butler.
23	2	Butler.	78	2	Reynolds.
169	2	Butler.	45	2	Reynolds.
145	2	Butler.	155	2	Reynolds.
84	2	Butler.	87	2	Reynolds.
208	2	Butler.	50	2	Reynolds.
114	2	Butler.	85	2	Butler.
131	2	Butler.	69	2	Reynolds.
69	2	Butler.	79	2	Butler.
48	2	Butler.	41	2	Butler.
93	2	Butler.	116	2	Butler.
195	2	Butler.	164	2	Reynolds.
218	2	Butler.	142	2	Butler.
83	2	Reynolds.	205	2	Butler.
200	2	Butler.	102	2	Butler.
111	2	Butler.	30	2	Rocker.
166	2	Butler.	39	2	Nobody.
134	2	Butler.	201	2	Rocker.
192	2	Butler.	171	2	Rocker.
14	2	Butler.	149	2	Rocker.
94	2	Butler.	28	2	Reynolds.
162	2	Butler.	82	2	Reynolds.
64	2	Butler.	130	2	Reynolds.
43	2	Reynolds.	191	2	Reynolds.
135	2	Butler.	25	2	Reynolds.
10	2	Reynolds.	177	2	Reynolds.

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Not being able to complete the taking of the depositions I now adjourn the further taking of the same until 6 o'clock p. m., February 10, 1903.

[SEAL.]

M. E. BURKE, *Notary Public.*

My term expires January 17, 1906.

At the hour of 6 o'clock, pursuant to adjournment, I now resume the taking of depositions.

By Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the first precinct of the Twenty-fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of the initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballots.	Initials.	For whom voted.
62	2	Reynolds.	48	2	Reynolds.
200	2	Reynolds.	158	2	Reynolds.
177	2	Reynolds.	147	2	Reynolds.
241	2	Reynolds.	171	2	Reynolds.
189	2	Reynolds.	78	2	Reynolds.
214	2	Reynolds.	199	2	Reynolds.
135	2	Reynolds.	29	2	Reynolds.
215	2	Reynolds.	42	2	Butler.
164	2	Reynolds.	88	2	Butler.
162	2	Reynolds.	131	2	Butler.
223	2	Reynolds.	124	2	Butler.
246	2	Reynolds.	114	2	Butler.
235	2	Reynolds.	139	2	Butler.
231	2	Reynolds.	208	2	Butler.
220	2	Reynolds.	169	2	Butler.
202	2	Reynolds.	215	2	Butler.
159	2	Reynolds.	123	2	Butler.
119	2	Reynolds.	76	2	Butler.
121	2	Reynolds.	72	2	Butler.
111	2	Reynolds.	9	2	Butler.
127	2	Reynolds.	10	2	Butler.
50	2	Reynolds.	79	2	Butler.
142	2	Reynolds.	17	2	Butler.
14	2	Reynolds.	None	2	Butler.
69	2	Reynolds.	179	2	Butler.
120	2	Reynolds.	212	2	Butler.
1	2	Reynolds.	225	2	Butler.
118	2	Reynolds.	75	2	Butler.
67	2	Reynolds.	84	2	Butler.
153	2	Reynolds.	141	2	Butler.
193	2	Reynolds.	73	2	Butler.
78	2	Reynolds.	173	2	Butler.
166	2	Reynolds.	239	2	Butler.
21	2	Reynolds.	190	2	Butler.
22	2	Reynolds.	176	2	Butler.
211	2	Reynolds.	96	2	Butler.
165	2	Reynolds.	104	2	Butler.
215	2	Butler.	52	2	Butler.
228	2	Butler.	49	2	Butler.
221	2	Butler.	108	2	Butler.
219	2	Butler.	149	2	Butler.
81	2	Butler.	94	2	Butler.
243	2	Butler.	70	2	Butler.
112	2	Butler.	49	2	Butler.
191	2	Butler.	122	2	Butler.
77	2	Butler.	82	2	Butler.
100	2	Butler.	188	2	Butler.
203	2	Butler.	105	2	Butler.
196	2	Butler.	297	2	Butler.
93	2	Butler.	200	2	Butler.
213	2	Butler.	103	2	Butler.
214	2	Butler.	116	2	Butler.
232	2	Butler.	89	2	Butler.
184	2	Butler.	99	2	Butler.
182	2	Butler.	13	2	Butler.
229	2	Butler.	115	3	Butler.
98	2	Reynolds.	61	2	Reynolds.
114	2	Reynolds.	126	2	Nobody.
65	2	Reynolds.	223	2	Reynolds.
152	2	Reynolds.	240	2	Butler.
218	2	Reynolds.	136	2	Reynolds.
149	2	Reynolds.	183	2	Reynolds.
60	2	Reynolds.	125	2	Reynolds.
205	2	Reynolds.	85	2	Butler.
68	2	Reynolds.	206	2	Nobody.
37	2	Reynolds.	185	2	Butler.
20	2	Reynolds.	194	2	Nobody.
7	2	Reynolds.	163	2	Butler.
151	2	Reynolds.	167	2	Butler.
128	2	Reynolds.	201	2	Reynolds.
150	2	Reynolds.	234	2	Reynolds.
15	2	Reynolds.	157	2	Nobody.
54	2	Reynolds.	225	2	Reynolds.
133	2	Reynolds.	216	2	Butler.
102	2	Reynolds.	237	2	Nobody.
134	2	Reynolds.	224	2	Reynolds.
155	2	Reynolds.	239	2	Reynolds.
178	2	Reynolds.	117	2	Reynolds.
91	2	Reynolds.	87	2	Reynolds.
187	2	Reynolds.	119	2	Nobody.
10	2	Reynolds.	169	2	Nobody.
223	2	Reynolds.	107	2	Reynolds.
58	2	Reynolds.	83	2	Butler.
11	2	Reynolds.	170	2	Butler.
238	2	Reynolds.	90	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
43	2	Reynolds.	97	2	Butler.
236	2	Nobody.	None	2	Butler.
197	2	Reynolds.	51	2	Butler.
180	2	Butler.	26	2	Butler.
25	2	Butler.	113	2	Butler.
129	2	Reynolds.	141	2	Butler.
169	2	Nobody.	30	2	Butler.
138	2	Butler.	24	2	Butler.
34	2	Butler.	19	2	Butler.
31	2	Butler.	8	2	Butler.
64	2	Butler.	46	2	Butler.
41	2	Nobody.	174	2	Butler.
71	2	Reynolds.	57	2	Butler.
44	2	Butler.	186	2	Reynolds.
148	2	Reynolds.	66	2	Reynolds.
175	2	Nobody.	32	2	Nobody.
145	2	Nobody.	146	2	Reynolds.
47	2	Nobody.	4	2	Reynolds.
33	2	Nobody.	38	2	Butler.
12	2	Nobody.	53	2	Reynolds.
156	2	Nobody.	95	2	Reynolds.
210	2	Nobody.	36	2	Reynolds.
187	2	Artz.	18	2	Reynolds.
161	2	Nobody.	222	2	Reynolds.
56	2	Nobody.	86	2	Reynolds.
16	2	Nobody.	27	2	Reynolds.
198	2	Nobody.	45	2	Reynolds.
226	2	Nobody.	101	2	Reynolds.
100	2	Butler.	154	2	Reynolds.
192	2	Butler.	80	2	Butler.
35	2	Butler.	74	2	Reynolds.
39	2	Butler.	65	2	Reynolds.
6	2	Butler.	120	2	Reynolds.
55	2	Butler.	59	2	Reynolds.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the tenth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
24	2	Reynolds.	29	2	Reynolds.
9	2	Reynolds.	312	2	Reynolds.
81	2	Reynolds.	407	2	Reynolds.
108	2	Reynolds.	300	2	Reynolds.
418	2	Reynolds.	118	2	Reynolds.
407	2	Reynolds.	247	2	Butler.
62	2	Reynolds.	262	2	Butler.
429	2	Reynolds.	305	2	Butler.
414	2	Reynolds.	330	2	Butler.
411	2	Reynolds.	307	2	Butler.
54	2	Reynolds.	258	2	Butler.
64	2	Reynolds.	306	2	Butler.
12	2	Reynolds.	331	2	Butler.
18	2	Reynolds.	403	2	Butler.
137	2	Reynolds.	499	2	Butler.
4	2	Reynolds.	360	2	Butler.
80	2	Reynolds.	325	2	Butler.
33	2	Reynolds.	181	2	Butler.
38	2	Reynolds.	334	2	Butler.
83	2	Reynolds.	245	2	Butler.
135	2	Reynolds.	248	2	Butler.
28	2	Reynolds.	261	2	Butler.
26	2	Reynolds.	273	2	Butler.
143	2	Reynolds.	206	2	Butler.
436	2	Reynolds.	331	2	Butler.
431	2	Reynolds.	257	2	Butler.
303	2	Reynolds.	219	2	Butler.
395	2	Reynolds.	68	2	Butler.
414	2	Reynolds.	252	2	Butler.
392	2	Reynolds.	121	2	Butler.
404	2	Reynolds.	301	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
250	2	Butler.	15	2	Reynolds.
256	2	Butler.	43	2	Reynolds.
None	2	Butler.	70	2	Reynolds.
221	2	Butler.	33	2	Reynolds.
263	2	Butler.	57	2	Reynolds.
326	2	Butler.	23	2	Reynolds.
55	2	Butler.	75	2	Reynolds.
283	2	Butler.	61	2	Reynolds.
235	2	Butler.	29	2	Butler.
304	2	Butler.	345	2	Butler.
251	2	Butler.	None	2	Butler.
285	2	Butler.	228	2	Butler.
312	2	Butler.	224	2	Butler.
197	2	Butler.	236	2	Butler.
4	2	Butler.	313	2	Butler.
409	2	Reynolds.	84	2	Reynolds.
323	2	Butler.	239	2	Butler.
327	2	Butler.	428	2	Butler.
258	2	Butler.	428	2	Reynolds.
234	2	Butler.	424	2	Butler.
322	2	Butler.	122	2	Butler.
277	2	Butler.	None	2	Butler.
249	2	Butler.	126	2	Butler.
None	2	Butler.	399	2	Butler.
21	2	Butler.	317	2	Butler.
310	2	Butler.	289	2	Butler.
None	2	Butler.	125	2	Butler.
227	2	Butler.	313	2	Butler.
319	2	Butler.	241	2	Butler.
175	2	Butler.	300	2	Butler.
281	2	Butler.	259	2	Butler.
None	2	Butler.	265	2	Butler.
276	2	Butler.	231	2	Butler.
266	2	Butler.	255	2	Butler.
309	2	Butler.	240	2	Butler.
336	2	Butler.	225	2	Butler.
124	2	Butler.	241	2	Butler.
361	2	Butler.	218	2	Butler.
304	2	Butler.	417	2	Butler.
321	2	Butler.	41	2	Butler.
165	2	Butler.	214	2	Butler.
3	2	Reynolds.	439	2	Reynolds.
36	2	Reynolds.	232	2	Butler.
129	2	Reynolds.	217	2	Butler.
161	2	Reynolds.	413	1	Butler.
56	2	Butler.	438	2	Butler.
138	2	Reynolds.	425	2	Butler.
49	2	Butler.	None	2	Butler.
430	2	Reynolds.	233	2	Butler.
46	2	Reynolds.	None	2	Butler.
128	2	Reynolds.	238	2	Butler.
117	2	Butler.	305	2	Butler.
422	2	Butler.	306	2	Butler.
34	2	Reynolds.	237	2	Butler.
70	2	Reynolds.	142	2	Reynolds.
137	2	Reynolds.	272	2	Butler.
71	2	Reynolds.	149	2	Butler.
131	2	Reynolds.	312	2	Butler.
38	2	Reynolds.	229	2	Butler.
150	2	Reynolds.	333	2	Butler.
125	2	Reynolds.	307	2	Butler.
71	2	Reynolds.	298	2	Butler.
45	2	Reynolds.	230	2	Butler.
44	2	Reynolds.	215	2	Butler.
440	2	Reynolds.	314	2	Butler.
448	2	Reynolds.	148	2	Butler.
25	2	Reynolds.	None	2	Butler.
53	2	Reynolds.	81	2	Butler.
6	2	Reynolds.	181	2	Butler.
11	2	Reynolds.	163	2	Butler.
427	2	Reynolds.	74	2	Butler.
120	2	Reynolds.	32	2	Butler.
136	2	Reynolds.	385	2	Butler.
7	2	Reynolds.	426	2	Reynolds.
5	2	Reynolds.	267	2	Butler.
111	2	Reynolds.	171	2	Butler.
439	2	Reynolds.	132	2	Reynolds.
97	2	Reynolds.	317	2	Butler.
450	2	Reynolds.	325	2	Butler.
146	2	Reynolds.	None	2	Butler.
22	2	Reynolds.	328	2	Butler.
13	2	Reynolds.	264	2	Butler.
19	2	Reynolds.	342	2	Butler.
8	2	Reynolds.	None	2	Butler.
16	2	Reynolds.	339	2	Butler

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
243	2	Butler.	270	2	Butler.
None	2	Butler.	314	2	Butler.
96	2	Butler.	None	2	Butler.
None	2	Butler.	None	2	Reynolds.
172	2	Butler.	20	2	Butler.
174	2	Butler.	124	2	Butler.
324	2	Butler.	17	2	Butler.
305	2	Butler.	114	2	Butler.
301	2	Butler.	211	2	Butler.
244	2	Butler.	315	2	Butler.
20	2	Nobody.	124	2	Butler.
241	2	Butler.	403	2	Butler.
123	2	Reynolds.	None	2	Butler.
None	2	Butler.	72	2	Butler.
67	2	Butler.	108	2	Butler.
None	2	Butler.	324	2	Butler.
160	2	Butler.	453	2	Butler.
322	2	Butler.	450	2	Butler.
434	2	Butler.	115	2	Butler.
426	2	Butler.	39	2	Butler.
None	2	Butler.	98	2	Butler.
105	2	Butler.	224	2	Butler.
None	2	Butler.	62	2	Butler.
141	2	Butler.	415	2	Butler.
None	2	Butler.	119	2	Butler.
96	2	Butler.	35	2	Butler.
392	2	Butler.	76	2	Butler.
213	2	Butler.	35	2	Butler.
132	2	Butler.	170	2	Butler.
None	2	Butler.	103	2	Butler.
113	2	Butler.	340	2	Butler.
294	2	Butler.	424	2	Butler.
61	2	Butler.	113	2	Butler.
400	2	Butler.	101	2	Butler.
425	2	Butler.	222	2	Butler.
334	2	Butler.	69	2	Butler.
None	2	Butler.	441	2	Butler.
53	2	Butler.	416	2	Butler.
455	2	Butler.	439	2	Butler.
119	2	Butler.	85	2	Butler.
30	2	Butler.	456	1	Butler.
180	2	Butler.	None	2	Butler.
224	2	Butler.	214	2	Butler.
268	2	Butler.	90	2	Butler.
284	2	Butler.	401	2	Butler.
242	2	Butler.	139	2	Butler.
162	2	Butler.	89	2	Butler.
107	2	Butler.	174	2	Butler.
251	2	Butler.	339	2	Butler.
63	2	Reynolds.	301	2	Butler.
246	2	Butler.	None	2	Butler.
279	2	Butler.	92	2	Butler.
315	2	Butler.	152	2	Butler.
295	2	Butler.	167	2	Butler.
320	2	Butler.	177	2	Butler.
280	2	Butler.	393	2	Butler.
178	2	Butler.	169	2	Butler.
308	2	Butler.	329	2	Butler.
335	2	Butler.	159	2	Butler.
375	2	Butler.	316	2	Butler.
158	2	Butler.	370	2	Butler.
391	2	Butler.	140	2	Butler.
311	2	Butler.	423	2	Reynolds.
None	2	Butler.	None	2	Butler.
232	2	Butler.	417	2	Butler.
332	2	Butler.	216	2	Butler.
269	2	Butler.	253	2	Butler.
40	2	Butler.	236	2	Butler.
157	2	Butler.	414	2	Butler.
299	2	Butler.	173	2	Butler.
249	2	Butler.	311	2	Butler.
23	2	Butler.	309	2	Butler.
72	2	Butler.	374	2	Butler.
114	2	Butler.	None	2	Butler.
17	2	Butler.	129	2	Butler.
121	2	Butler.	290	2	Butler.
409	1	Butler.	116	2	Butler.
421	2	Butler.	93	2	Butler.
210	2	Butler.	99	2	Butler.
423	2	Rocker.	418	2	Butler.
134	2	Rocker.	16	2	Butler.
27	2	Rocker.	87	2	Butler.
10	2	Reynolds.	377	2	Butler.
31	2	Nobody.	432	2	Butler.
42	2	Nobody.	None	2	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
158	2	Butler.	151	2	Butler.
452	2	Butler.	102	2	Butler.
17	2	Butler.	449	2	Butler.
452	2	Butler.	39	2	Butler.
94	2	Butler.	436	2	Butler.
91	2	Butler.	303	2	Butler.
471	2	Butler.	176	2	Butler.
2	2	Butler.	82	2	Reynolds.
92	2	Butler.	294	2	Butler.
192	2	Butler.	400	2	Butler.
114	2	Butler.	164	2	Butler.
14	2	Butler.	114	2	Butler.
100	2	Butler.	291	2	Butler.
None	2	Butler.	350	2	Butler.
1	2	Butler.	447	2	Reynolds.
60	2	Butler.	406	2	Reynolds.
315	2	Butler.	168	2	Butler.
88	2	Butler.	37	2	Butler.
34	2	Butler.	40	2	Butler.
99	2	Butler.	86	2	Butler.
109	2	Butler.	103	2	Butler.
442	2	Butler.	95	2	Butler.
113	2	Butler.	271	2	Butler.
446	2	Butler.	196	2	Butler.
116	2	Butler.	318	2	Butler.
47	2	Butler.			

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the thirteenth precinct of the Twenty-second Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative to Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
45	2	Artz.	80	2	Reynolds.
38	2	Reynolds.	33	2	Reynolds.
106	2	Reynolds.	164	2	Reynolds.
138	2	Reynolds.	2	2	Reynolds.
109	2	Reynolds.	75	2	Reynolds.
73	2	Reynolds.	116	2	Reynolds.
29	2	Reynolds.	177	2	Artz.
84	2	Reynolds.	192	2	Reynolds.
81	2	Reynolds.	82	2	Reynolds.
90	2	Reynolds.	140	2	Reynolds.
112	2	Reynolds.	127	2	Reynolds.
169	2	Reynolds.	158	2	Butler.
151	2	Reynolds.	61	2	Reynolds.
21	2	Reynolds.	63	2	Butler.
56	2	Reynolds.	41	2	Reynolds.
176	2	Reynolds.	152	2	Butler.
30	2	Reynolds.	36	2	Butler.
196	2	Reynolds.	175	2	Artz.
204	2	Butler.	35	2	Reynolds.
147	2	Reynolds.	126	2	Butler.
68	2	Reynolds.	206	2	Butler.
157	2	Reynolds.	135	2	Reynolds.
97	2	Reynolds.	122	2	Butler.
49	2	Reynolds.	111	2	Reynolds.
194	2	Reynolds.	10	2	Reynolds.
48	2	Reynolds.	156	2	Butler.
170	2	Reynolds.	132	2	Butler.
95	2	Reynolds.	211	2	Butler.
101	2	Reynolds.	125	2	Butler.
65	2	Reynolds.	31	2	Nobody.
186	2	Reynolds.	128	2	Butler.
96	2	Reynolds.	74	2	Reynolds.
60	2	Butler.	163	2	Reynolds.
197	2	Reynolds.	155	2	Butler.
145	2	Reynolds.	98	2	Reynolds.
70	2	Reynolds.	103	2	Reynolds.
69	2	Reynolds.	110	2	Butler.
58	2	Reynolds.	168	2	Butler.
83	2	Reynolds.	203	2	Reynolds.
54	2	Reynolds.	198	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
193	2	Reynolds.	209	2	Butler.
201	2	Butler.	148	2	Butler.
None	2	Butler.	154	2	Butler.
34	2	Reynolds.	182	2	Butler.
20	2	Nobody.	17	2	Butler.
136	2	Butler.	55	2	Butler.
39	2	Nobody.	226	2	Butler.
11	2	Butler.	225	2	Butler.
23	2	Butler.	47	2	Nobody.
66	2	Butler.	59	2	Nobody.
131	2	Butler.	228	2	Butler.
137	2	Butler.	108	2	Butler.
144	2	Reynolds.	224	2	Butler.
1	2	Butler.	223	2	Butler.
12	2	Reynolds.	141	2	Butler.
105	2	Butler.	119	2	Butler.
130	2	Reynolds.	142	2	Butler.
46	2	Nobody.	167	2	Butler.
146	2	Reynolds.	92	2	Butler.
86	2	Reynolds.	114	2	Butler.
89	2	Reynolds.	202	2	Butler.
59	2	Butler.	210	2	Butler.
129	2	Nobody.	191	2	Butler.
205	2	Butler.	195	2	Butler.
62	2	Reynolds.	188	2	Butler.
102	2	Butler.	21	2	Butler.
79	2	Nobody.	213	2	Butler.
161	2	Butler.	207	2	Butler.
40	2	Reynolds.	179	2	Butler.
215	2	Butler.	139	2	Butler.
124	2	Butler.	171	2	Butler.
181	2	Reynolds.	99	2	Butler.
43	2	Reynolds.	87	2	Butler.
76	2	Reynolds.	149	2	Butler.
160	2	Butler.	19	2	Butler.
165	2	Reynolds.	126	2	Butler.
172	2	Butler.	94	2	Butler.
16	2	Reynolds.	18	2	Butler.
180	2	Reynolds.	85	2	Butler.
208	2	Butler.	91	2	Butler.
134	2	Reynolds.	162	2	Butler.
143	2	Reynolds.	88	2	Butler.
104	2	Reynolds.	190	2	Butler.
20	2	Reynolds.	189	2	Butler.
13	2	Reynolds.	42	2	Butler.
26	2	Reynolds.	3	2	Butler.
174	2	Reynolds.	15	2	Butler.
9	2	Reynolds.	133	2	Butler.
37	2	Reynolds.	14	2	Butler.
7	2	Reynolds.	25	2	Butler.
22	2	Reynolds.	24	2	Butler.
32	2	Reynolds.	64	2	Butler.
113	2	Reynolds.	8	2	Butler.
159	2	Reynolds.	5	2	Butler.
117	2	Reynolds.	51	2	Reynolds.
118	2	Reynolds.	67	2	Reynolds.
190	2	Reynolds.	72	2	Reynolds.
71	2	Reynolds.	218	2	Reynolds.
52	2	Reynolds.	None	2	Reynolds.
93	2	Reynolds.	57	2	Reynolds.
107	2	Reynolds.	185	2	Reynolds.
115	2	Reynolds.	28	2	Reynolds.
121	3	Reynolds.	27	2	Reynolds.
153	2	Reynolds.	183	2	Reynolds.
213	2	Butler.	100	2	Reynolds.
227	2	Butler.	53	2	Reynolds.
219	2	Butler.	77	2	Reynolds.
187	2	Butler.	73	2	Artz.
123	2	Butler.	200	2	Artz.
184	2	Butler.	44	2	Artz.
212	2	Butler.	178	2	Artz.
216	2	Butler.	78	2	Artz.
217	2	Butler.	156	2	Nobody.
222	2	Butler.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.
Not being able to complete the taking of the depositions I now adjourn the
further taking of the same until 10 o'clock a. m., February 11, 1903.

[SEAL.]

M. E. BURKE, *Notary Public.*

My term expires January 17, 1906.

Pursuant to adjournment I now resume the taking of depositions at 10 o'clock a. m., February 11, 1903.

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the twelfth precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast:—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
70	2	Reynolds.	330	2	Butler.
171	2	Butler.	82	2	Butler.
72	2	Butler.	230	2	Butler.
229	None.	Butler.	47	2	Butler.
197	2	Butler.	205	2	Butler.
411	2	Butler.	39	2	Butler.
415	2	Butler.	43	2	Butler.
212	2	Butler.	28	2	Butler.
308	2	Butler.	118	2	Butler.
297	2	Butler.	36	2	Butler.
402	2	Butler.	161	2	Butler.
235	2	Butler.	159	2	Butler.
244	2	Butler.	99	2	Butler.
195	2	Butler.	124	2	Butler.
243	2	Butler.	143	2	Butler.
260	2	Butler.	20	2	Butler.
348	2	Butler.	163	2	Butler.
148	2	Butler.	90	2	Butler.
269	2	Butler.	173	2	Butler.
81	2	Butler.	413	2	Butler.
53	2	Butler.	192	1	Butler.
92	2	Butler.	61	2	Butler.
290	2	Butler.	356	2	Butler.
164	2	Butler.	341	2	Butler.
218	2	Butler.	265	2	Butler.
219	2	Butler.	367	2	Butler.
362	2	Butler.	218	2	Butler.
262	2	Butler.	410	2	Butler.
18	2	Butler.	170	2	Butler.
252	2	Butler.	349	2	Butler.
208	2	Butler.	254	2	Butler.
389	2	Butler.	402	2	Butler.
67	2	Butler.	191	2	Butler.
69	2	Butler.	59	2	Reynolds.
139	2	Butler.	295	2	Butler.
116	2	Butler.	105	2	Butler.
117	2	Nobody.	118	2	Nobody.
273	2	Butler.	189	2	Butler.
195	2	Butler.	245	2	Butler.
129	2	Butler.	19	2	Butler.
42	2	Butler.	398	2	Butler.
186	2	Butler.	239	2	Butler.
181	2	Butler.	37	2	Butler.
198	2	Butler.	253	2	Butler.
115	2	Butler.	120	2	Butler.
46	2	Butler.	400	2	Butler.
215	2	Butler.	15	2	Butler.
223	2	Butler.	32	2	Butler.
216	2	Butler.	75	2	Butler.
211	2	Butler.	126	2	Butler.
138	2	Butler.	None	None.	Butler.
182	2	Butler.	10	2	Butler.
199	2	Butler.	108	2	Butler.
335	2	Butler.	149	1	Butler.
239	2	Butler.	7	2	Butler.
350	2	Butler.	312	2	Butler.
65	2	Butler.	340	2	Butler.
117	2	Butler.	355	2	Butler.
86	2	Butler.	9	2	Butler.
127	2	Butler.	109	2	Butler.
112	2	Butler.	24	2	Butler.
116	2	Butler.	21	2	Butler.
390	2	Butler.	115	2	Butler.
122	2	Butler.	292	2	Butler.
188	2	Butler.	None	2	Butler.
144	1	Butler.	58	2	Butler.
257	2	Butler.	214	2	Butler.
296	2	Butler.	213	2	Butler.
259	2	Butler.	216	2	Butler.
209	2	Butler.	217	2	Butler.
107	2	Butler.	226	None.	Butler.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
293	2	Butler.	34	2	Butler.
159	2	Butler.	23	2	Butler.
136	2	Reynolds.	27	2	Butler.
412	2	Butler.	12	2	Butler.
386	2	Butler.	93	2	Butler.
97	2	Butler.	64	2	Butler.
71	2	Butler.	55	2	Butler.
251	2	Butler.	81	2	Butler.
80	2	Butler.	76	2	Butler.
220	2	Butler.	78	2	Reynolds.
128	2	Butler.	36	2	Butler.
214	2	Butler.	133	2	Nobody.
260	2	Butler.	None	None	Butler.
201	2	Butler.	540	2	Butler.
265	2	Butler.	241	2	Butler.
254	2	Butler.	298	2	Butler.
187	2	Butler.	291	2	Butler.
252	3	Butler.	87	2	Butler.
77	2	Butler.	74	2	Butler.
94	2	Butler.	196	2	Butler.
395	2	Butler.	171	2	Butler.
253	2	Butler.	353	2	Butler.
98	2	Butler.	312	2	Butler.
263	2	Butler.	246	2	Butler.
147	2	Butler.	192	1	Butler.
398	2	Butler.	134	2	Butler.
275	None.	Butler.	222	2	Butler.
297	2	Butler.	55	2	Butler.
178	3	Butler.	141	2	Butler.
399	2	Butler.	391	2	Butler.
235	2	Butler.	102	2	Butler.
60	2	Butler.	396	2	Butler.
401	2	Butler.	214	2	Butler.
146	2	Butler.	409	2	Butler.
194	3	Butler.	407	2	Butler.
185	2	Butler.	351	2	Butler.
349	2	Butler.	256	2	Butler.
390	2	Butler.	238	2	Butler.
17	2	Butler.	255	2	Butler.
123	2	Butler.	142	2	Butler.
225	2	Butler.	84	2	Butler.
309	2	Butler.	255	2	Butler.
36	2	Butler.	361	2	Butler.
73	2	Butler.	367	2	Butler.
None	2	Butler.	121	2	Butler.
369	2	Butler.	329	3	Butler.
162	2	Butler.	240	2	Butler.
13	2	Butler.	242	4	Butler.
267	2	Butler.	311	2	Butler.
335	2	Butler.	383	2	Butler.
301	2	Butler.	378	2	Reynolds.
261	4	Reynolds.	110	2	Reynolds.
300	3	Butler.	51	2	Reynolds.
270	2	Butler.	71	2	Reynolds.
109	2	Butler.	103	2	Reynolds.
33	2	Butler.	38	2	Reynolds.
217	2	Butler.	50	2	Reynolds.
296	2	Butler.	352	2	Reynolds.
174	3	Butler.	121	2	Reynolds.
160	2	Butler.	29	2	Reynolds.
336	2	Butler.	5	2	Reynolds.
82	2	Butler.	52	2	Reynolds.
135	2	Butler.	199	2	Reynolds.
11	2	Butler.	4	2	Reynolds.
249	2	Butler.	104	2	Reynolds.
250	2	Butler.	89	2	Reynolds.
224	2	Butler.	405	2	Reynolds.
308	2	Butler.	169	2	Reynolds.
280	2	Butler.	111	2	Reynolds.
248	2	Butler.	79	2	Reynolds.
294	2	Butler.	382	2	Reynolds.
275	2	Butler.	6	2	Reynolds.
389	2	Butler.	253	2	Reynolds.
391	4	Butler.	311	2	Reynolds.
159	2	Butler.	54	2	Reynolds.
190	2	Butler.	140	2	Reynolds.
261	2	Butler.	68	2	Reynolds.
200	2	Butler.	24	2	Reynolds.
130	2	Butler.	415	2	Reynolds.
119	2	Butler.	397	2	Reynolds.
137	2	Butler.	101	2	Reynolds.
238	2	Butler.	8	2	Reynolds.
None	2	Butler.	217	2	Reynolds.
204	2	Butler.	299	2	Reynolds.
247	2	Butler.	40	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
22	2	Reynolds.	406	2	Nobody.
41	2	Reynolds.	65	2	Reynolds.
31	2	Reynolds.	19	2	Reynolds.
417	2	Reynolds.	97	2	Reynolds.
100	2	Butler.	131	2	Reynolds.
48	2	Reynolds.	63	2	Reynolds.
96	2	Butler.	114	2	Reynolds.
341	2	Nobody.	51	2	Butler.
62	2	Reynolds.	88	2	Nobody.
392	2	Nobody.	85	2	Reynolds.
25	2	Nobody.	132	2	Reynolds.
26	2	Nobody.	30	2	Reynolds.
95	2	Reynolds.	368	2	Reynolds.
416	2	Artz.	45	2	Reynolds.
16	2	Artz.	360	2	Reynolds.
232	2	Nobody.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the sixth precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis, Mo., in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
117	2	Butler.	103	2	Butler.
58	2	Butler.	89	2	Butler.
4	2	Butler.	37	2	Butler.
123	2	Nobody.	195	2	Butler.
82	2	Reynolds.	137	2	Nobody.
124	2	Reynolds.	13	2	Nobody.
188	2	Reynolds.	34	2	Butler.
122	2	Reynolds.	166	2	Butler.
139	2	Reynolds.	67	2	Butler.
193	2	Butler.	42	2	Butler.
200	2	Reynolds.	191	2	Butler.
178	2	Butler.	14	2	Butler.
20	2	Butler.	104	2	Butler.
43	2	Butler.	175	2	Butler.
50	2	Butler.	192	2	Butler.
93	2	Butler.	138	2	Butler.
47	2	Butler.	32	2	Butler.
168	2	Butler.	201	2	Butler.
119	2	Reynolds.	125	2	Reynolds.
1	2	Butler.	146	2	Reynolds.
207	2	Reynolds.	206	2	Reynolds.
95	2	Butler.	153	2	Reynolds.
65	2	Reynolds.	64	2	Reynolds.
100	2	Butler.	21	2	Rocker.
95	2	Butler.	189	2	Artz.
2	2	Reynolds.	53	2	Reynolds.
163	2	Butler.	156	2	Reynolds.
183	2	Butler.	46	2	Reynolds.
31	2	Butler.	11	2	Reynolds.
151	2	Butler.	81	2	Reynolds.
164	2	Butler.	63	2	Butler.
150	2	Butler.	196	2	Butler.
202	2	Butler.	185	2	Butler.
197	2	Butler.	16	2	Reynolds.
176	2	Butler.	40	2	Butler.
182	2	Butler.	8	2	Reynolds.
173	2	Butler.	90	2	Butler.
180	2	Butler.	174	2	Butler.
149	2	Butler.	60	2	Butler.
87	2	Butler.	79	2	Butler.
179	2	Butler.	75	2	Reynolds.
129	2	Reynolds.	109	2	Butler.
136	2	Butler.	52	2	Reynolds.
107	2	Butler.	76	2	Butler.
133	2	Butler.	158	2	Butler.
187	2	Butler.	73	2	Butler.
105	2	Butler.	154	2	Butler.
169	2	Butler.	118	2	Butler.
181	2	Butler.	145	2	Reynolds.
24	2	Butler.	127	2	Butler.
170	2	Butler.	134	2	Butler.
72	2	Butler.	61	2	Butler.
194	2	Butler.	144	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
36	2	Butler.	165	2	Butler.
81	2	Butler.	78	2	Butler.
135	2	Butler.	27	2	Butler.
159	2	Butler.	30	2	Reynolds.
113	2	Butler.	6	2	Butler.
19	2	Reynolds.	14	2	Reynolds.
203	2	Reynolds.	99	2	Butler.
86	2	Butler.	115	2	Butler.
51	2	Butler.	162	2	Butler.
152	2	Reynolds.	141	2	Reynolds.
71	2	Nobody.	59	2	Butler.
101	2	Butler.	77	2	Reynolds.
53	2	Butler.	102	2	Butler.
132	2	Nobody.	45	2	Butler.
18	2	Butler.	55	2	Reynolds.
130	2	Butler.	22	2	Reynolds.
92	2	Butler.	148	2	Reynolds.
9	2	Butler.	48	2	Butler.
23	2	Butler.	3	2	Nobody.
15	2	Reynolds.	26	2	Rocker.
108	2	Butler.	66	2	Reynolds.
98	2	Butler.	94	2	Butler.
29	2	Butler.	38	2	Butler.
205	2	Butler.	69	2	Butler.
70	2	Butler.	39	2	Butler.
80	2	Butler.	7	2	Butler.
17	2	Reynolds.	25	2	Reynolds.
190	2	Artz.	157	2	Reynolds.
114	2	Reynolds.	120	1	Reynolds.
186	2	Butler.	110	2	Reynolds.
171	2	Butler.	204	2	Reynolds.
128	2	Reynolds.	28	2	Butler.
57	2	Butler.	131	2	Reynolds.
62	2	Butler.	10	2	Reynolds.
199	2	Butler.	49	2	Butler.
97	2	Reynolds.	12	2	Butler.
74	2	Butler.	172	2	Reynolds.
116	2	Butler.	121	2	Butler.
112	2	Butler.	56	2	Butler.
68	2	Butler.	83	2	Butler.
160	2	Butler.	44	2	Butler.
177	2	Butler.	142	2	Butler.
161	2	Butler.	88	2	Butler.
140	2	Butler.	143	2	Butler.
33	2	Reynolds.	This ballot is torn at about the center and the upper part is missing.		
184	2	Butler.	155	2	Nobody.
198	2	Butler.	The lower half of this ballot is missing.		
85	2	Butler.	126	2	Nobody.
167	2	Butler.	The lower half of this ballot is missing.		
5	2	Butler.	35	2	Nobody.
111	2	Butler.	The lower half of this ballot is missing.		
106	2	Butler.			
91	2	Butler.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

JOHN ELLSPERMANN, Jr.

Subscribed and sworn to before me on this 11th day of February, 1903.

[SEAL.]

M. E. BURKE, *Notary Public*.

My term expires January 17, 1906.

State of Missouri, city of St. Louis, ss:

I, M. E. Burke, a notary public within and for the city of St. Louis and State of Missouri, duly authorized to take depositions according to law, do hereby certify that the following witness, to wit, John Ellspermann, jr., of the city of St. Louis, State of Missouri, came before me at the city hall in said city and State on the 10th day of February, 1903, was by me sworn to testify the truth, the whole truth, and nothing but the truth of his knowledge touching the matters in controversy in the contested election case now pending in Congress, wherein George D. Reynolds is contestant and James J. Butler is the contestee for the seat of Representative in the Fifty-eighth Congress from the Twelfth district of the State of Missouri; that he was examined and his examination was reduced to writing and subscribed by him in my presence on this 11th day of February, 1903, in the city and State aforesaid, and his depositions herewith returned.

[SEAL.]

M. E. BURKE.

Notary Public, City of St. Louis, Mo.

My term expires January 17, 1906.

Deposition of John Ellspermann, jr., a witness, produced, sworn and examined before me the undersigned notary public within and for the State of Missouri and city of St. Louis, and residing within the Twelfth Congressional district of said State, produced, sworn and examined on the 10th and 11th days of February, 1903, at the office and rooms of the board of election commissioners of the city of St. Louis, Mo., in the city hall of said city of St. Louis, in the contested election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, wherein George D. Reynolds is the contestant and James J. Butler is the contestee, on behalf of the contestant George D. Reynolds.

Charles W. Holteamp, esq., appearing for contestant. No appearance for contestee.

JOHN ELLSPERMANN, JR., of lawful age, being produced, sworn and examined on behalf of contestant, deposeth and saith:

Direct examination by Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the Sixth precinct of the Thirteenth Ward at the election held November 4, 1902, in the city of St. Louis in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional District of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
64	2	Butler.	197	2	Reynolds.
114	2	Artz.	134	2	Butler.
59	2	Butler.	68	2	Reynolds.
140	2	Butler.	124	2	Reynolds.
135	2	Butler.	205	2	Reynolds.
92	2	Butler.	232	2	Reynolds.
258	2	Butler.	89	2	Reynolds.
255	2	Butler.	253	2	Reynolds.
33	2	Butler.	58	2	Reynolds.
186	2	Butler.	3	2	Reynolds.
226	2	Nobody.	200	2	Reynolds.
262	2	Reynolds.	45	2	Reynolds.
157	2	Nobody.	73	2	Reynolds.
185	2	Nobody.	162	2	Reynolds.
49	2	Nobody.	191	2	Reynolds.
229	2	Nobody.	43	2	Reynolds.
132	2	Nobody.	31	2	Reynolds.
222	2	Nobody.	161	2	Reynolds.
115	2	Nobody.	16	2	Reynolds.
86	2	Butler.	267	2	Reynolds.
172	2	Butler.	168	2	Reynolds.
28	2	Butler.	100	2	Reynolds.
274	2	Reynolds.	108	2	Reynolds.
67	2	Reynolds.	142	2	Reynolds.
215	2	Butler.	224	2	Reynolds.
208	2	Butler.	48	2	Reynolds.
225	2	Butler.	13	2	Reynolds.
195	2	Butler.	263	2	Reynolds.
45	2	Butler.	159	2	Reynolds.
242	2	Butler.	133	2	Reynolds.
96	2	Reynolds.	95	2	Reynolds.
143	2	Butler.	233	2	Nobody.
275	2	Nobody.	138	2	Reynolds.
63	2	Nobody.	209	2	Reynolds.
260	2	Butler.	188	2	Reynolds.
266	2	Butler.	212	2	Reynolds.
264	2	Butler.	89	2	Reynolds.
149	2	Reynolds.	155	2	Reynolds.
211	2	Nobody.	67	2	Reynolds.
164	2	Butler.	50	2	Reynolds.
80	2	Butler.	250	2	Reynolds.
83	2	Butler.	201	2	Reynolds.
227	2	Butler.	213	2	Reynolds.
91	2	Nobody.	243	2	Reynolds.
171	2	Butler.	156	2	Reynolds.
69	2	Butler.	30	2	Reynolds.
144	2	Butler.	10	2	Reynolds.
268	2	Butler.	139	2	Reynolds.
88	2	Reynolds.	82	2	Reynolds.
152	2	Butler.	202	2	Reynolds.
217	2	Billsbarrow.	60	2	Reynolds.
85	2	Butler.	98	2	Reynolds.
74	2	Butler.	102	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballots.	Initials.	For whom voted.
239	2	Reynolds.	26	2	Butler.
173	2	Reynolds.	210	2	Butler.
111	2	Reynolds.	221	2	Butler.
87	2	Reynolds.	76	2	Nobody.
25	2	Reynolds.	61	2	Reynolds.
216	2	Rocker.	23	2	Reynolds.
261	2	Rocker.	13	2	Butler.
236	2	Rocker.	77	2	Butler.
240	2	Rocker.	187	2	Reynolds.
219	2	Rocker.	29	2	Butler.
269	2	Nobody.	46	2	Butler.
3	2	Nobody.	190	2	Reynolds.
270	2	Nobody.	104	2	Reynolds.
2	2	Nobody.	150	2	Reynolds.
243	2	Butler.	204	2	Artz.
4	2	Nobody.	8	2	Rocker.
241	2	Reynolds.	146	2	Nobody.
178	2	Butler.	237	2	Nobody.
127	2	Butler.	177	2	Nobody.
214	2	Reynolds.	12	2	Reynolds.
251	2	Butler.	182	2	Reynolds.
181	2	Butler.	6	2	Artz.
277	2	Butler.	136	2	Artz.
94	2	Butler.	207	2	Butler.
130	2	Reynolds.	11	2	Butler.
81	2	Butler.	238	2	Butler.
18	2	Butler.	32	2	Butler.
72	2	Butler.	57	2	Butler.
249	2	Reynolds.	101	2	Butler.
228	2	Reynolds.	37	2	Butler.
62	2	Butler.	38	2	Butler.
99	2	Butler.	93	2	Butler.
230	2	Reynolds.	109	2	Butler.
176	2	Reynolds.	103	2	Butler.
121	2	Reynolds.	165	2	Butler.
265	2	Reynolds.	1	2	Butler.
147	2	Reynolds.	56	2	Butler.
257	2	Butler.	9	2	Butler.
120	2	Butler.	40	2	Butler.
24	2	Butler.	42	2	Butler.
175	2	Butler.	273	2	Butler.
15	2	Butler.	271	2	Reynolds.
106	2	Butler.	57	2	Butler.
190	2	Reynolds.	20	2	Butler.
160	2	Butler.	19	2	Butler.
17	2	Butler.	234	2	Butler.
5	2	Butler.	53	2	Butler.
169	2	Butler.	235	2	Butler.
75	2	Reynolds.	27	2	Reynolds.
117	2	Butler.	129	2	Reynolds.
179	2	Butler.	183	2	Butler.
245	2	Reynolds.	194	2	Butler.
248	2	Butler.	199	2	Butler.
259	2	Butler.	39	2	Butler.
58	2	Reynolds.	206	2	Butler.
174	2	Butler.	11	2	Butler.
65	2	Reynolds.	252	2	Reynolds.
34	2	Reynolds.	52	2	Reynolds.
123	2	Butler.	66	2	Reynolds.
97	2	Butler.	122	2	Reynolds.
78	2	Butler.	21	2	Butler.
55	2	Reynolds.	14	2	Butler.
220	2	Reynolds.	154	2	Butler.
110	2	Butler.	180	2	Butler.
153	2	Butler.	163	2	Butler.
256	2	Butler.	7	2	Reynolds.
170	2	Butler.	134	2	Butler.
166	2	Butler.	148	2	Reynolds.
196	2	Butler.	193	2	Reynolds.
84	2	Reynolds.	244	2	Reynolds.
22	2	Rocker.	70	2	Reynolds.
231	2	Nobody.	192	2	Reynolds.
137	2	Nobody.	119	2	Reynolds.
247	2	Rocker.	118	2	Butler.
128	2	Reynolds.	31	2	Butler.
141	2	Butler.	79	2	Reynolds.
14	2	Butler.	71	2	Reynolds.
54	2	Butler.	167	2	Reynolds.
126	2	Butler.	223	2	Reynolds.
105	2	Butler.	218	2	Reynolds.
272	2	Butler.	184	2	Reynolds.
35	2	Nobody.	90	2	Reynolds.
276	2	Butler.	254	2	Reynolds.
47	2	Butler.	16	2	Butler.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the seventh precinct of the Thirteenth Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number.	Initials.	For whom voted.	Number.	Initials.	For whom voted.
113	2	Butler.	30	2	Butler.
272	2	Butler.	252	2	Butler.
149	2	Butler.	176	2	Butler.
27	2	Butler.	124	2	Butler.
178	2	Butler.	197	2	Butler.
59	2	Butler.	99	2	Butler.
26	2	Butler.	269	2	Butler.
116	2	Butler.	258	2	Butler.
241	2	Butler.	220	2	Butler.
263	2	Butler.	95	2	Butler.
256	2	Butler.	244	2	Butler.
239	2	Butler.	245	2	Butler.
194	2	Butler.	271	2	Butler.
123	2	Butler.	137	2	Butler.
167	2	Butler.	146	2	Butler.
70	2	Butler.	111	2	Butler.
80	2	Butler.	148	2	Butler.
75	2	Butler.	185	2	Butler.
10	2	Butler.	115	2	Butler.
247	2	Butler.	222	2	Reynolds.
78	2	Butler.	255	2	Reynolds.
216	2	Butler.	53	2	Reynolds.
235	2	Butler.	131	2	Reynolds.
209	2	Butler.	193	2	Reynolds.
226	2	Butler.	95	2	Reynolds.
163	2	Butler.	143	2	Reynolds.
110	2	Butler.	202	2	Reynolds.
45	2	Butler.	129	2	Reynolds.
96	2	Butler.	83	2	Reynolds.
159	2	Butler.	228	2	Reynolds.
33	2	Butler.	203	2	Reynolds.
102	2	Butler.	64	2	Reynolds.
9	2	Butler.	186	2	Reynolds.
58	2	Butler.	1	2	Reynolds.
153	2	Butler.	145	2	Reynolds.
126	2	Butler.	165	2	Reynolds.
32	2	Butler.	142	2	Reynolds.
68	2	Butler.	73	2	Reynolds.
147	2	Butler.	183	2	Reynolds.
44	2	Butler.	60	2	Reynolds.
38	2	Butler.	106	2	Reynolds.
108	2	Butler.	223	2	Reynolds.
14	2	Butler.	34	2	Reynolds.
98	2	Butler.	67	2	Reynolds.
29	2	Butler.	246	2	Reynolds.
108	2	Butler.	192	2	Reynolds.
242	2	Butler.	224	2	Reynolds.
184	2	Butler.	274	2	Reynolds.
182	2	Butler.	218	2	Reynolds.
39	2	Butler.	233	2	Reynolds.
141	2	Butler.	230	2	Reynolds.
43	2	Butler.	89	2	Reynolds.
155	2	Butler.	90	2	Reynolds.
138	2	Butler.	23	2	Reynolds.
103	2	Butler.	52	2	Reynolds.
47	2	Butler.	36	2	Reynolds.
152	2	Butler.	200	2	Reynolds.
275	2	Butler.	267	2	Reynolds.
210	2	Butler.	86	2	Reynolds.
229	2	Butler.	175	2	Reynolds.
125	2	Butler.	13	2	Reynolds.
225	2	Butler.	135	2	Reynolds.
156	2	Butler.	50	2	Reynolds.
24	2	Butler.	15	2	Reynolds.
238	2	Butler.	121	2	Reynolds.
277	2	Butler.	25	2	Reynolds.
157	2	Butler.	11	2	Reynolds.
240	2	Butler.	46	2	Reynolds.
107	2	Butler.	41	2	Reynolds.
151	2	Butler.	172	2	Reynolds.
276	2	Butler.	20	2	Reynolds.
171	2	Butler.	273	2	Reynolds.
196	2	Butler.	264	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
212	2	Reynolds.	221	2	Reynolds.
266	2	Reynolds.	77	2	Nobody.
66	2	Reynolds.	Butler.	2	Butler.
92	2	Reynolds.	257	2	Butler.
2	2	Reynolds.	72	2	Butler.
4	2	Artz.	40	2	Reynolds.
31	2	Bilsbarrow.	42	2	Butler.
79	2	Reynolds.	93	2	Butler.
12	2	Reynolds.	112	2	Reynolds.
19	2	Reynolds.	164	2	Butler.
144	2	Reynolds.	267	2	Butler.
236	2	Reynolds.	198	2	Butler.
249	2	Rocker.	132	2	Butler.
17	2	Rocker.	87	2	Butler.
8	2	Rocker.	71	2	Butler.
5	2	Rocker.	260	2	Butler.
199	2	Rocker.	219	2	Butler.
7	2	Rocker.	278	2	Butler.
49	2	Nobody.	154	2	Butler.
215	2	Nobody.	237	2	Butler.
214	2	Nobody.	168	2	Butler.
227	2	Nobody.	177	2	Butler.
61	2	Nobody.	231	2	Butler.
150	2	Nobody.	119	2	Nobody.
243	2	Nobody.	84	2	Reynolds.
166	2	Nobody.	254	2	Rocker.
101	2	Nobody.	268	2	Butler.
28	2	Nobody.	190	2	Butler.
139	2	Nobody.	207	2	Butler.
187	2	Bilsbarrow.	97	2	Butler.
18	2	Rocker.	57	2	Reynolds.
16	2	Rocker.	65	2	Nobody.
195	2	Rocker.	35	2	Reynolds.
232	2	Rocker.	265	2	Reynolds.
248	2	Rocker.	169	2	Reynolds.
206	2	Rocker.	140	2	Butler.
270	2	Reynolds.	56	2	Butler.
262	2	Reynolds.	3	2	Butler.
216	2	Reynolds.	170	2	Butler.
91	2	Reynolds.	37	2	Butler.
217	2	Reynolds.	114	2	Nobody.
21	2	Reynolds.	109	2	Butler.
100	2	Reynolds.	76	2	Butler.
122	2	Reynolds.	180	2	Butler.
81	2	Reynolds.	85	2	Butler.
122	2	Reynolds.	208	2	Butler.
82	2	Reynolds.	201	2	Butler.
55	2	Butler.	104	2	Butler.
48	2	Reynolds.	120	2	Reynolds.
191	2	Reynolds.	253	2	Butler.
181	2	Butler.	174	2	Butler.
213	2	Butler.	69	2	Reynolds.
63	2	Reynolds.	88	2	Butler.
134	2	Reynolds.	162	2	Butler.
105	2	Reynolds.	250	2	Butler.
198	2	Reynolds.	189	2	Butler.
130	2	Reynolds.	54	2	Reynolds.
128	2	Reynolds.	6	2	Reynolds.
74	2	Reynolds.	51	2	Reynolds.
133	2	Reynolds.	211	2	Butler.
234	2	Reynolds.	62	2	Butler.
117	2	Reynolds.	173	2	Butler.
179	2	Reynolds.	204	2	Butler.
251	2	Butler.	205	2	Artz.
161	2	Reynolds.	160	2	Reynolds.

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Not being able to complete the taking of the depositions, I now adjourn the further taking of the same until 7 o'clock p. m., February 10, 1903.

[SEAL.]

AUGUSTUS M. WOOD, *Notary Public*.

My term expires May 8, 1904.

Pursuant to adjournment, as before stated, I now resume the taking of depositions at 7 p. m.

By Mr. HOLT CAMP:

Q. Will you produce, open, and count the ballots cast in the First precinct of the Twenty-second Ward at the election held November 4, 1902, in the City of St.

Louis in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional District of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—
A. I will.

Number.	Initials.	For whom cast.	Number.	Initials.	For whom cast.
200	2	Nobody.	188	2	Butler.
None	2	Reynolds.	228	2	Butler.
None	2	Butler.	25	2	Butler.
255	2	Nobody.	60	2	Butler.
244	2	Reynolds.	58	2	Butler.
52	2	Rocker.	161	2	Butler.
310	2	Butler.	175	2	Butler.
352	2	Butler.	292	2	Butler.
341	2	Butler.	311	2	Butler.
371	2	Butler.	285	2	Butler.
332	2	Butler.	342	2	Butler.
45	2	Butler.	343	2	Butler.
276	2	Butler.	391	2	Butler.
348	2	Butler.	390	2	Butler.
249	2	Butler.	389	2	Butler.
44	2	Reynolds.	307	2	Butler.
325	2	Butler.	388	2	Butler.
217	2	Butler.	203	2	Butler.
303	2	Butler.	263	2	Butler.
69	2	Reynolds.	248	2	Butler.
9	2	Bilsbarrow.	56	2	Butler.
380	2	Butler.	304	2	Butler.
284	2	Butler.	20	2	Butler.
318	2	Butler.	138	2	Butler.
324	2	Butler.	373	2	Butler.
92	2	Butler.	377	2	Butler.
72	2	Butler.	246	2	Butler.
306	2	Butler.	235	2	Butler.
259	2	Butler.	91	2	Butler.
382	2	Butler.	4	2	Butler.
393	2	Butler.	381	2	Butler.
401	2	Butler.	386	2	Butler.
291	2	Butler.	396	2	Butler.
329	2	Butler.	313	2	Butler.
206	2	Butler.	280	2	Butler.
96	2	Butler.	147	2	Butler.
97	2	Butler.	387	2	Butler.
94	2	Butler.	233	2	Butler.
207	2	Reynolds.	190	2	Butler.
80	2	Reynolds.	392	2	Butler.
79	2	Reynolds.	185	2	Butler.
90	2	Butler.	183	2	Butler.
126	2	Butler.	162	2	Butler.
127	2	Butler.	184	2	Butler.
128	2	Butler.	173	2	Butler.
129	2	Butler.	227	2	Butler.
125	2	Butler.	26	2	Butler.
136	2	Butler.	15	2	Butler.
100	2	Butler.	182	2	Butler.
177	2	Butler.	48	2	Butler.
179	2	Butler.	143	2	Butler.
191	2	Butler.	154	2	Butler.
194	2	Butler.	199	2	Butler.
195	2	Butler.	160	2	Butler.
196	2	Butler.	144	2	Butler.
101	2	Butler.	146	2	Butler.
103	2	Butler.	163	2	Butler.
105	2	Butler.	186	2	Butler.
107	2	Butler.	180	2	Butler.
109	2	Butler.	181	2	Butler.
110	2	Butler.	116	2	Butler.
123	2	Butler.	115	2	Butler.
121	2	Butler.	93	2	Butler.
120	2	Butler.	221	2	Butler.
345	2	Butler.	137	2	Butler.
130	2	Butler.	224	2	Butler.
131	2	Butler.	117	2	Butler.
132	2	Butler.	1	2	Butler.
150	2	Butler.	43	2	Butler.
174	2	Butler.	223	2	Butler.
168	2	Butler.	28	2	Butler.
167	2	Butler.	277	2	Butler.
169	2	Butler.	301	2	Butler.
170	2	Butler.	315	2	Butler.
171	2	Butler.	254	2	Butler.
172	2	Butler.	316	2	Butler.
176	2	Butler.	84	2	Butler.
42	2	Butler.	322	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
223	2	Butler.	331	2	Butler.
76	2	Butler.	354	2	Butler.
337	2	Butler.	213	2	Butler.
216	2	Butler.	203	2	Butler.
140	2	Butler.	308	2	Butler.
133	2	Butler.	234	2	Butler.
152	2	Butler.	40	2	Butler.
151	2	Butler.	215	2	Butler.
141	2	Butler.	290	2	Butler.
148	2	Butler.	326	2	Butler.
134	2	Butler.	359	2	Butler.
205	2	Butler.	289	2	Butler.
54	2	Butler.	279	2	Butler.
142	2	Butler.	360	2	Butler.
300	2	Butler.	None	1	Butler.
155	2	Butler.	358	2	Butler.
333	2	Butler.	260	2	Butler.
212	2	Butler.	30	2	Butler.
375	2	Butler.	320	2	Butler.
385	2	Butler.	321	2	Butler.
407	2	Butler.	283	2	Butler.
335	2	Butler.	113	2	Butler.
155	2	Butler.	257	2	Butler.
229	2	Butler.	226	2	Butler.
157	2	Butler.	297	2	Butler.
156	2	Butler.	398	2	Butler.
374	2	Butler.	166	2	Butler.
98	2	Butler.	214	2	Butler.
314	2	Butler.	88	2	Butler.
274	2	Butler.	129	2	Butler.
305	2	Butler.	24	2	Butler.
350	2	Butler.	22	2	Butler.
218	2	Butler.	211	2	Butler.
63	2	Butler.	23	2	Butler.
95	2	Butler.	231	2	Butler.
10	2	Butler.	366	2	Butler.
265	2	Butler.	349	2	Butler.
67	2	Butler.	242	2	Butler.
11	2	Butler.	403	2	Butler.
119	2	Butler.	237	2	Butler.
118	2	Butler.	365	2	Butler.
109	2	Reynolds.	356	2	Butler.
38	2	Butler.	324	2	Butler.
408	2	Butler.	272	2	Butler.
12	2	Butler.	236	2	Butler.
235	2	Butler.	31	2	Butler.
258	2	Butler.	270	2	Butler.
99	2	Butler.	112	2	Butler.
250	2	Butler.	256	2	Butler.
252	2	Butler.	406	2	Butler.
93	2	Butler.	399	2	Butler.
247	2	Butler.	81	2	Butler.
17	2	Butler.	165	2	Butler.
361	2	Butler.	379	2	Butler.
7	2	Butler.	299	2	Butler.
16	2	Butler.	347	2	Butler.
319	2	Butler.	27	2	Butler.
317	2	Butler.	2	2	Butler.
219	2	Butler.	273	2	Butler.
4	2	Butler.	161	2	Butler.
357	2	Butler.	288	2	Butler.
364	2	Butler.	230	2	Butler.
71	2	Butler.	401	2	Butler.
238	2	Butler.	145	2	Butler.
186	2	Butler.	66	2	Butler.
267	2	Butler.	275	2	Butler.
295	2	Butler.	149	2	Butler.
232	2	Butler.	287	2	Butler.
82	2	Butler.	83	2	Reynolds.
70	2	Butler.	210	2	Reynolds.
266	2	Butler.	87	2	Reynolds.
35	2	Butler.	18	2	Reynolds.
64	2	Butler.	13	2	Reynolds.
363	2	Butler.	5	2	Butler.
268	2	Butler.	14	2	Reynolds.
269	2	Butler.	246	2	Reynolds.
268	2	Butler.	8	2	Reynolds.
39	2	Butler.	245	2	Reynolds.
298	2	Butler.	6	2	Reynolds.
114	2	Butler.	49	2	Reynolds.
282	2	Butler.	204	2	Reynolds.
384	2	Butler.	75	2	Reynolds.
362	2	Butler.	239	2	Reynolds.
312	2	Butler.	33	2	Reynolds.
383	2	Butler.	65	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
36	2	Butler.	21	2	Reynolds.
3	2	Reynolds.	85	2	Reynolds.
37	2	Reynolds.	32	2	Reynolds.
201	2	Butler.	133	2	Butler.
35	2	Reynolds.	41	2	Artz.
46	2	Reynolds.	89	2	Nobody.
50	2	Butler.	55	2	Butler.
68	2	Reynolds.	30	2	Rocker.

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the third precinct of the Twenty-second Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
193	2	Butler.	84	2	Butler.
199	2	Butler.	15	2	Butler.
No.	2	Butler.	100	2	Butler.
79	2	Butler.	19	2	Butler.
145	2	Butler.	138	2	Butler.
146	2	Butler.	97	2	Butler.
204	2	Butler.	52	2	Butler.
198	2	Butler.	53	2	Butler.
133	2	Butler.	16	2	Butler.
197	2	Butler.	166	2	Butler.
78	2	Butler.	38	2	Butler.
137	2	Butler.	16	2	Butler.
124	2	Butler.	67	2	Butler.
74	2	Butler.	59	2	Butler.
188	2	Butler.	50	2	Butler.
196	2	Butler.	195	2	Butler.
177	2	Butler.	56	2	Butler.
164	2	Butler.	205	2	Butler.
168	2	Butler.	None	2	Butler.
154	2	Butler.	122	2	Butler.
135	2	Butler.	76	2	Butler.
162	2	Butler.	40	2	Butler.
139	2	Nobody.	85	2	Butler.
208	2	Butler.	126	2	Butler.
70	2	Butler.	128	2	Butler.
203	2	Butler.	72	2	Butler.
210	2	Butler.	130	2	Butler.
139	2	Butler.	14	2	Butler.
176	2	Butler.	140	2	Butler.
157	2	Butler.	200	2	Butler.
83	2	Butler.	185	2	Butler.
106	2	Butler.	66	2	Butler.
110	2	Butler.	54	2	Butler.
206	2	Butler.	31	2	Butler.
144	2	Butler.	65	2	Butler.
127	2	Butler.	109	2	Butler.
132	2	Butler.	None	2	Butler.
192	2	Butler.	47	2	Butler.
72	2	Butler.	60	2	Butler.
179	2	Butler.	125	2	Butler.
173	2	Butler.	None	2	Butler.
96	2	Butler.	22	2	Butler.
2	2	Butler.	24	2	Butler.
12	2	Butler.	112	2	Butler.
182	2	Butler.	99	2	Butler.
28	2	Butler.	172	2	Butler.
69	2	Butler.	165	2	Butler.
209	2	Butler.	17	2	Butler.
119	2	Butler.	23	2	Butler.
194	2	Butler.	184	2	Butler.
89	2	Butler.	64	2	Butler.
136	2	Butler.	6	2	Butler.
11	2	Butler.	207	2	Butler.
81	2	Butler.	169	2	Butler.
49	2	Butler.	94	2	Butler.
27	2	Butler.	159	2	Rocker.
120	2	Butler.	82	2	Nobody.
48	2	Butler.	113	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
36	2	Reynolds.	55	2	Butler.
37	2	Reynolds.	9	2	Nobody.
2	2	Reynolds.	14	2	Butler.
34	2	Reynolds.	10	2	Reynolds.
11	2	Reynolds.	174	2	Butler.
30	2	Reynolds.	149	2	Butler.
170	2	Reynolds.	63	2	Butler.
57	2	Reynolds.	105	2	Butler.
62	2	Reynolds.	158	2	Butler.
44	2	Reynolds.	177	2	Butler.
161	2	Reynolds.	61	2	Butler.
35	2	Reynolds.	115	2	Butler.
29	2	Reynolds.	121	2	Butler.
42	2	Reynolds.	98	2	Butler.
80	2	Reynolds.	93	2	Reynolds.
41	2	Reynolds.	142	2	Butler.
21	2	Reynolds.	46	2	Butler.
111	2	Reynolds.	181	2	Butler.
86	2	Reynolds.	8	2	Reynolds.
87	2	Reynolds.	191	2	Butler.
39	2	Reynolds.	148	2	Butler.
23	2	Reynolds.	4	2	Butler.
156	2	Reynolds.	75	2	Reynolds.
163	2	Reynolds.	58	2	Reynolds.
103	2	Reynolds.	51	2	Reynolds.
175	2	Reynolds.	92	2	Butler.
108	2	Reynolds.	180	2	Reynolds.
77	2	Reynolds.	45	2	Reynolds.
187	2	Reynolds.	167	2	Reynolds.
189	2	Reynolds.	147	2	Reynolds.
150	2	Reynolds.	141	2	Reynolds.
153	2	Reynolds.	32	2	Reynolds.
152	2	Butler.	88	2	Reynolds.
155	2	Reynolds.	211	2	Reynolds.
143	2	Reynolds.	43	2	Reynolds.
131	2	Reynolds.	20	2	Reynolds.
123	2	Reynolds.	151	2	Reynolds.
118	1	Reynolds.	1	1	Butler.
178	2	Rocker.	107	2	Reynolds.
160	2	Reynolds.	26	2	Reynolds.
90	2	Butler.	25	2	Reynolds.
183	2	Butler.	190	2	Reynolds.
202	2	Butler.	102	2	Reynolds.
116	2	Butler.	95	2	Butler.
114	2	Reynolds.	5	1	Nobody.
186	2	Butler.	141	2	Butler.
201	2	Butler.			

By Mr. HOLTCAMP:

Q. Have you examined all the ballots contained in the said box?—A. Yes, sir; I have.

Q. Will you produce, open, and count the ballots cast in the seventh precinct of the Twenty-second Ward, at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number.	Initials.	For whom cast.	Number.	Initials.	For whom cast.
117	2	Reynolds.	33	2	Butler.
121	2	Reynolds.	40	2	Butler.
28	2	Reynolds.	27	2	Butler.
86	2	Reynolds.	152	2	Reynolds.
51	2	Reynolds.	113	2	Reynolds.
116	2	Reynolds.	98	2	Butler.
154	2	Reynolds.	156	2	Butler.
3	2	Reynolds.	43	2	Butler.
161	2	Reynolds.	46	2	Artz.
24	2	Reynolds.	147	2	Butler.
19	2	Artz.	2	2	Reynolds.
47	2	Reynolds.	119	2	Butler.
8	2	Butler.	149	2	Butler.
45	2	Artz.	96	2	Butler.
155	2	Artz.	6	2	Reynolds.
158	2	Artz.	7	2	Reynolds.
13	2	Butler.	26	2	Butler.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
11	2	Butler.	143	2	Reynolds.
129	2	Reynolds.	107	2	Reynolds.
17	2	Butler.	163	2	Reynolds.
92	2	Butler.	124	2	Reynolds.
84	2	Butler.	104	2	Reynolds.
78	2	Butler.	151	2	Butler.
37	2	Butler.	79	2	Reynolds.
72	2	Butler.	131	2	Reynolds.
126	2	Butler.	130	2	Butler.
73	2	Butler.	95	2	Reynolds.
122	2	Butler.	59	2	Butler.
134	2	Butler.	83	2	Reynolds.
109	2	Butler.	49	2	Butler.
111	2	Butler.	69	2	Reynolds.
112	2	Butler.	68	2	Reynolds.
55	2	Butler.	133	2	Butler.
66	2	Butler.	63	2	Butler.
64	2	Butler.	58	2	Reynolds.
153	2	Reynolds.	75	2	Reynolds.
56	2	Butler.	137	2	Butler.
15	2	Butler.	53	2	Butler.
74	2	Butler.	166	2	Butler.
136	2	Butler.	35	2	Butler.
148	2	Butler.	101	2	Reynolds.
60	2	Butler.	None	2	Reynolds.
144	2	Butler.	141	2	Reynolds.
97	2	Butler.	120	2	Butler.
39	2	Butler.	123	2	Reynolds.
109	2	Butler.	99	2	Reynolds.
138	2	Butler.	9	2	Artz.
82	2	Reynolds.	108	2	Butler.
10	2	Reynolds.	14	2	Butler.
160	2	Reynolds.	90	2	Reynolds.
87	2	Reynolds.	34	2	Butler.
110	2	Reynolds.	48	2	Reynolds.
84	2	Reynolds.	164	2	Reynolds.
42	2	Reynolds.	142	2	Reynolds.
38	2	Reynolds.	71	2	Reynolds.
137	2	Reynolds.	102	2	Reynolds.
125	2	Reynolds.	162	2	Reynolds.
21	2	Reynolds.	52	2	Reynolds.
18	2	Reynolds.	157	2	Reynolds.
89	2	Reynolds.	81	2	Reynolds.
85	2	Reynolds.	16	2	Reynolds.
21	2	Reynolds.	80	2	Butler.
114	2	Reynolds.	67	2	Butler.
61	2	Reynolds.	41	2	Butler.
62	2	Reynolds.	50	2	Butler.
34	2	Reynolds.	88	2	Reynolds.
77	2	Reynolds.	57	2	Reynolds.
139	2	Reynolds.	123	2	Reynolds.
30	2	Reynolds.	36	2	Reynolds.
70	2	Butler.	5	2	Reynolds.
25	2	Reynolds.	127	2	Reynolds.
93	2	Reynolds.	140	2	Reynolds.
76	2	Butler.	None	2	Reynolds.
118	2	Nobody.	135	2	Butler.
15	2	Bilsbarrow.	146	2	Reynolds.
44	2	Artz.	91	2	Butler.
115	2	Nobody.	29	2	Reynolds.
104	2	Artz.	94	2	Reynolds.
165	2	Nobody.	29	2	Reynolds.
103	2	Reynolds.	31	2	Reynolds.
65	2	Reynolds.	132	2	Reynolds.
106	2	Reynolds.	32	2	Reynolds.

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in the said box?—A. Yes, sir; I have.

Not being able to complete the taking of the depositions I now adjourn the further taking of the same until 10 o'clock a. m., February 11, 1903.

[SEAL.]

AUGUSTUS M. WOOD, *Notary Public.*

Term expires May 8, 1904.

Pursuant to adjournment I now resume the taking of the depositions at 10 o'clock a. m., February 11, 1903, at the same place in said city and State.

By Mr. HOLTCAMP:

Q. Will you produce, open, and count the ballots cast in the first precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number.	Initials.	For whom voted.	Number.	Initials.	For whom voted.
150	2	Butler.	93	2	Butler.
168	2	Butler.	91	2	Butler.
63	2	Butler.	74	2	Butler.
156	2	Butler.	153	2	Butler.
158	2	Butler.	41	2	Butler.
140	2	Butler.	69	2	Reynolds.
114	2	Butler.	133	2	Butler.
82	2	Butler.	165	2	Butler.
44	2	Butler.	107	2	Butler.
140	2	Butler.	124	2	Butler.
137	2	Butler.	154	2	Butler.
78	2	Butler.	71	2	Butler.
166	2	Butler.	42	2	Butler.
153	2	Butler.	10	2	Butler.
55	2	Butler.	28	2	Butler.
59	2	Butler.	146	2	Butler.
68	2	Butler.	144	2	Butler.
1	2	Butler.	161	2	Butler.
47	2	Butler.	35	2	Butler.
113	2	Butler.	18	2	Butler.
97	2	Butler.	101	2	Butler.
85	2	Butler.	123	2	Reynolds.
126	2	Butler.	21	2	Reynolds.
83	2	Butler.	103	2	Reynolds.
62	2	Butler.	159	2	Butler.
77	2	Butler.	121	2	Butler.
54	2	Butler.	157	2	Butler.
130	2	Butler.	70	2	Butler.
109	2	Butler.	23	2	Reynolds.
104	2	Butler.	160	2	Butler.
80	2	Butler.	46	2	Butler.
96	2	Butler.	13	2	Artz.
109	2	Butler.	154	2	Butler.
111	2	Butler.	142	2	Butler.
138	2	Butler.	32	2	Butler.
2	2	Butler.	56	2	Butler.
33	2	Butler.	37	2	Butler.
17	2	Butler.	11	2	Butler.
4	2	Butler.	22	2	Butler.
25	2	Butler.	128	2	Butler.
89	2	Butler.	79	2	Butler.
171	2	Butler.	12	2	Reynolds.
33	2	Butler.	29	2	Reynolds.
88	2	Butler.	58	2	Butler.
31	2	Butler.	172	2	Butler.
24	2	Butler.	90	2	Butler.
6	2	Butler.	20	2	Reynolds.
36	2	Butler.	39	2	Butler.
34	2	Butler.	134	2	Reynolds.
61	2	Butler.	145	2	Reynolds.
73	2	Butler.	120	2	Reynolds.
48	2	Butler.	129	2	Reynolds.
71	2	Butler.	76	2	Reynolds.
127	2	Butler.	5	2	Reynolds.
98	2	Reynolds.	94	2	Reynolds.
147	2	Butler.	135	2	Reynolds.
167	2	Butler.	27	2	Reynolds.
170	2	Butler.	81	2	Reynolds.
7	2	Butler.	163	2	Reynolds.
108	2	Butler.	98	2	Reynolds.
57	2	Butler.	84	2	Reynolds.
141	2	Reynolds.	152	2	Reynolds.
149	2	Butler.	92	2	Reynolds.
51	2	Butler.	166	2	Reynolds.
125	2	Butler.	75	2	Reynolds.
139	2	Butler.	99	2	Reynolds.
139	2	Butler.	8	2	Reynolds.
112	2	Butler.	9	2	Reynolds.
45	2	Butler.	40	2	Reynolds.
148	2	Butler.	55	2	Reynolds.
49	2	Butler.	30	2	Reynolds.

Number of ballot.	Initials.	For whom voted.	Number of ballot.	Initials.	For whom voted.
117	2	Reynolds.	95	2	Reynolds.
65	2	Reynolds.	31	2	Reynolds.
91	2	Reynolds.	136	2	Reynolds.
64	2	Reynolds.	53	2	Reynolds.
26	2	Reynolds.	62	2	Reynolds.
50	2	Reynolds.	60	2	Reynolds.
43	2	Reynolds.	115	2	Reynolds.
66	2	Reynolds.	102	2	Nobody.
54	2	Reynolds.	169	2	Nobody.
77	2	Reynolds.	15	2	Nobody.
3	2	Reynolds.	19	2	Artz.
87	2	Reynolds.	132	2	Artz.
122	2	Reynolds.	143	2	Butler.
118	2	Reynolds.	14	2	Rocker.
173	2	Reynolds.	116	2	Rocker.
110	2	Reynolds.			

By Mr. HOLT CAMP:

Q. Have you examined all the ballots contained in that box?—A. I have.

Q. Will you produce, open, and count the ballots cast in the second precinct of the Twenty-third Ward at the election held November 4, 1902, in the city of St. Louis, in so far as they relate to the election of a Representative in Congress from the Twelfth Congressional district of Missouri for the long term, giving the number of the ballot in each case, the number of initials, if any, and for whom cast?—A. I will.

Number.	Initials.	For whom cast.	Number.	Initials.	For whom cast.
58	2	Butler.	28	2	Butler.
79	2	Reynolds.	141	2	Butler.
14	2	Reynolds.	88	2	Butler.
106	2	Butler.	76	2	Reynolds.
1	2	Reynolds.	30	2	Butler.
126	2	Reynolds.	41	2	Butler.
44	2	Reynolds.	83	2	Butler.
101	2	Butler.	123	2	Butler.
23	2	Reynolds.	153	2	Butler.
116	2	Butler.	80	2	Butler.
85	2	Reynolds.	21	2	Butler.
32	2	Reynolds.	94	2	Butler.
129	2	Reynolds.	90	2	Butler.
148	2	Reynolds.	73	2	Butler.
138	2	Reynolds.	127	2	Butler.
112	2	Reynolds.	9	2	Butler.
67	2	Butler.	147	2	Butler.
139	2	Rocker.	61	2	Butler.
134	2	Nobody.	50	2	Butler.
99	2	Artz.	150	2	Butler.
114	2	Butler.	66	2	Butler.
113	2	Butler.	97	2	Butler.
77	2	Reynolds.	46	2	Butler.
26	2	Reynolds.	43	2	Butler.
52	2	Nobody.	74	2	Butler.
139	2	Butler.	95	2	Butler.
1	2	Butler.	29	2	Butler.
92	2	Butler.	33	2	Butler.
45	2	Butler.	68	2	Butler.
133	2	Butler.	122	2	Butler.
135	2	Butler.	17	2	Reynolds.
91	2	Butler.	119	2	Reynolds.
121	2	Butler.	6	2	Reynolds.
120	2	Butler.	98	2	Reynolds.
102	2	Butler.	70	2	Reynolds.
27	2	Butler.	136	2	Reynolds.
125	2	Butler.	54	2	Reynolds.
39	2	Butler.	34	2	Reynolds.
144	2	Butler.	84	2	Reynolds.
131	2	Butler.	72	2	Reynolds.
37	2	Butler.	100	2	Reynolds.
104	2	Butler.	81	2	Reynolds.
142	2	Butler.	18	2	Reynolds.
82	2	Butler.	31	2	Reynolds.
75	2	Butler.	13	2	Reynolds.
65	2	Butler.	71	2	Reynolds.
40	2	Butler.	105	2	Reynolds.
117	2	Butler.	60	2	Reynolds.
49	2	Reynolds.	11	2	Reynolds.
63	2	Butler.	87	2	Reynolds.

Number of ballot.	Initials.	For whom cast.	Number of ballot.	Initials.	For whom cast.
57	2	Reynolds.	115	2	Butler.
149	2	Reynolds.	110	2	Butler.
34	2	Reynolds.	20	2	Butler.
46	2	Reynolds.	24	2	Butler.
113	2	Reynolds.	89	2	Butler.
35	2	Reynolds.	47	2	Butler.
5	2	Reynolds.	109	2	Butler.
2	2	Reynolds.	103	2	Butler.
86	2	Reynolds.	48	2	Butler.
51	2	Reynolds.	25	2	Butler.
145	2	Reynolds.	101	2	Butler.
137	2	Reynolds.	4	2	Butler.
62	2	Butler.	10	2	Butler.
122	2	Butler.	16	2	Butler.
69	2	Butler.	42	2	Butler.
55	2	Butler.	154	2	Butler.
59	2	Butler.	8	2	Butler.
78	2	Butler.	53	2	Butler.
124	2	Butler.	140	2	Butler.
None	2	Butler.	93	2	Butler.
96	2	Butler.	128	2	Butler.
3	2	Butler.	7	2	Butler.
19	2	Butler.	64	2	Butler.
107	2	Butler.	36	2	Butler.
152	2	Butler.	155	2	Butler.
108	2	Butler.	2	2	Butler.
15	2	Butler.	143	2	Butler.

By Mr. HOLT CAMP:

Have you examined all the ballots contained in that box?—A. I have.

JOHN ELLSPERMANN.

Subscribed and sworn to before me this 11th day of February, 1903. My term expires May 8, 1904.

[SEAL.]

AUGUSTUS M. WOOD, *Notary Public.*

STATE OF MISSOURI, *City of St. Louis, ss:*

I, Augustus M. Wood, a notary public within and for the city of St. Louis and State of Missouri, duly authorized to take these depositions according to law, do hereby certify that pursuant to a notice dated January 29, 1903, and served on James J. Butler, the contestee, on the same day, and which notice is attached to depositions taken in this cause and certified to by Notary A. R. Russell, the following witnesses, to wit, John Ellspermann, jr., of the city of St. Louis and State of Missouri, came before me in the city hall, in the said city and State on the 9th day of February, 1903, who was by me sworn to testify the truth, the whole truth, and nothing but the truth of his knowledge touching the matters in controversy in the contested election case now pending in Congress wherein George D. Reynolds is contestant and James J. Butler is the contestee for the seat of Representative in the Fifty-eighth Congress from the Twelfth Congressional district for the State of Missouri; that his examination was begun on the 10th day of February, 1903, and continued on the 11th day of February, 1903, and the same reduced to writing and subscribed by him in my presence on this 11th day of February, 1903, in the city and State aforesaid, and his said deposition is herewith returned.

Given at St. Louis, Mo., this 11th day of February, 1903.

[SEAL.]

AUGUSTUS M. WOOD,
Notary Public, City of St. Louis, Mo.

My term expires May 8, 1904.

NOTICE TO TAKE DEPOSITIONS.

ST. LOUIS, Mo., *March 23, 1903.*

TO JAMES J. BUTLER, *Contestee:*

You are hereby notified that on Tuesday, March 31, beginning at the hour of 10 o'clock a. m., before A. R. Russell, a notary public within and for the city of St. Louis, Mo., and residing within the Twelfth Congressional District of Missouri, at the office of the board of election commissioners, in the city hall, in the city of St. Louis, Mo., testimony will be taken on behalf of the contestant, for use in the contested election case now pending before the Fifth-eighth Congress of the United

States from the Twelfth Congressional district of Missouri, in which case George D. Reynolds is the contestant, and you, James J. Butler, are the contestee, for the office of Representative from the said district in the said Fifty-eighth Congress, and if the taking of said testimony is not concluded on that day the further taking thereof will be continued at the same place and beginning at the same hour, from day to day, until entirely concluded.

The names and addresses of witnesses to be examined under this notice are as follows: James McCaffery, 1733 Mississippi avenue; Louis P. Aloe, 4533 Maryland avenue; John M. Wood, 5535 Clemens avenue; John Ellspermann, jr., 2126 Wyoming street; Martin F. Moore, 2305 Walnut street; Patrick J. Regan, 3424 Caroline street.

GEORGE D. REYNOLDS, *Contestant*.
By WILLIAM M. KINSEY,
FRANK E. RICHEY, and
CHARLES W. HOLTCAMP,
His Attorneys.

Served the within notice in the city of St. Louis, Mo., on this the 25th day of March, 1903, by delivering a true copy of same at the residence of James J. Butler, 3501 Laeclde avenue.

SIDNEY L. BARNARD.

Subscribed and sworn to before me this the 30th day of March, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

Depositions of witnesses produced and sworn and examined on the 31st day of March, 1903, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon (commencing at the hour of 10 o'clock in the forenoon) of that day, at the office of the board of election commissioners in the city hall in the city of St. Louis, Mo., before me, A. R. Russell, a notary public within and for the city of St. Louis and State of Missouri, in the contested election case of George D. Reynolds, contestant, against James J. Butler, contestee, now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, on the part of the contestant.

Appearances: W. M. Kinsey, esq., appeared for the contestant; no appearance for contestee.

JOHN ELLSPERMANN, JR., of lawful age, was produced and sworn to testify the truth, the whole truth, and nothing but the truth of his knowledge touching the matter in controversy.

The further taking of these depositions was thereupon adjourned until the hour of 2 o'clock p. m. of this 31st day of March, A. D. 1903.

Pursuant to adjournment, I resumed the taking of these depositions at the hour of 2 p. m. of this 31st day of March, at the office of the election commissioners of the city of St. Louis, Mo.

Appearances: For contestant, W. M. Kinsey, esq.; no appearance for the contestee.

JOHN ELLSPERMAN, JR., of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. What official connection do you have, Mr. Ellsperman, in the office of the board of election commissioners in the city of St. Louis?—A. The position of secretary of the board of election commissioners.

Q. Who has the custody of the records of the office of the board of election commissioners of St. Louis?—A. I have.

Q. Will you produce the envelopes containing the rejected ballots cast at the election held November 4, 1902, in the city of St. Louis, Mo., and in the Twelfth Congressional district of Missouri, in all of the election precincts of said Congressional district, open, and count the same, stating for whom each ballot was cast for the office of Representative in the Congress of the United States from the Twelfth Congressional district for the long term, giving the numbers and initials, if any, on such ballot and such other marks thereon as may be found by you, beginning with the first precinct of the Fourth Ward and continuing through each ward of said dis-

trict, precinct by precinct, until the same is completed?—A. I will. Ward 4, precinct 1, none; Ward 4, precinct 2, none.

WARD 4, PRECINCT 3.

Number.	Initials.	For whom voted.
119.....	2.....	Butler.
Ballot torn in half about center, upper portion and caption of ballot missing.		
94.....	2.....	Butler.
Ballot torn in half in center, upper portion and caption missing.		
213.....	2.....	Butler.
212.....	2.....	Butler.
214.....	2.....	Butler.
175.....	1.....	Beynolds.
118.....	2.....	Butler.
164.....	2.....	Butler.
This ballot was torn close to top.		
241.....	None.....	Nobody.
This ballot was torn in two in center, lower half of ballot missing.		
106.....	2.....	Butler.
This ballot was torn in two in center, upper half and caption of ballot missing.		
7.....	2.....	Reynolds.
This ballot was torn in two in center, upper portion and caption of ballot missing.		

WARD 4, PRECINCT 5.

229.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption missing.		
58.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		
156.....	2.....	Reynolds.
This ballot was torn in two in center, upper portion and caption of ballot missing.		

Ward 4, precinct 6, none; Ward 4, precinct 7, none; Ward 4, precinct 8, none; Ward 4, precinct 9, none.

WARD 5, PRECINCT 3.

Number.	Initials.	For whom voted.
5.....	2.....	Nobody.
This ballot was torn in two in center, lower portion of ballot missing.		
25.....	2.....	Nobody.
This ballot was torn in two in center, lower portion of ballot missing.		

WARD 5 PRECINCT 4.

312.....	2.....	Reynolds.
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WARD 5, PRECINCT 6.

161.....	2.....	Butler.
Ballot torn in two in center; upper portion and caption of ballot missing.		
157.....	2.....	Reynolds.
Ballot torn in two in center; upper portion and caption of ballot missing.		

WARD 5, PRECINCT 9.

123.....	2.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
None.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
151.....	2.....	Reynolds.
This ballot was torn in two places, one close to the top and one close to the bottom. They were matched and pinned together, so as to make a complete ballot.		
None.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
14.....	2.....	Christ. Rocker.
This ballot was torn in two right under candidate's name for Congress; lower portion of ballot missing.		

WARD 5, PRECINCT 9—Continued.

Number.	Initials.	For whom voted.
89.....	2.....	Nobody.
This ballot was torn about one-third from top; upper portion and caption missing.		
41.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
107.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption missing.		
150.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
191.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
11.....	2.....	Butler.
This ballot was torn in two in center; matched, and pinned together.		

There were no rejected ballots returned from precincts 1, 2, 5, 7, 8, and 10 of the Fifth Ward.

WARD 6, PRECINCT 2.

Number of ballot.	Initials.	For whom voted.
187.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
61.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption of ballot missing.		

WARD 6, PRECINCT 5.

None.....	2.....	Reynolds.
161.....	2.....	Rocker.

WARD 6, PRECINCT 12.

31.....	2.....	Reynolds.
Caption of ballot torn off.		

This envelope also contained three sets of undetached ballots.

WARD 6, PRECINCT 13.

Number of ballot.	Initials.	For whom voted.
104.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
176.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
173.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption missing.		

There were no rejected ballots returned from precincts 1, 3, 4, 6, 7, 8, 9, 10, and 11 of the Sixth Ward.

WARD 13, PRECINCT 4.

Number of ballot.	Initials.	For whom voted.
None.....	2.....	Butler.
225.....	2.....	Reynolds.
None.....	None.....	Nobody.
This ballot was torn in two in the center; lower portion of ballot missing.		
139.....	2.....	Butler.
This ballot was torn in two in the center; upper portion and caption missing.		
240.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
None.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
20.....	2.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		

WARD 13, PRECINCT 6.

Number of ballot.	Initials.	For whom voted.
None	2	Reynolds.
None	2	Reynolds.
None	2	Reynolds.
151	2	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
116	2	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		

WARD 13, PRECINCT 10.

None	2	Reynolds.
None	2	Reynolds.
There are two full sets of ballots in envelope not detached.		

There were no rejected ballots returned from precincts 1, 2, 3, 5, 7, 8, 9, 11, and 12 of the Thirteenth Ward.

WARD 14, PRECINCT 1.

Number of ballot.	Initials.	For whom voted.
50	1	Butler.
This ballot was torn in two in center; upper portion and caption missing.		
25	2	Butler.
This ballot was torn in two in center; upper portion and caption missing.		
195	2	Butler.
This ballot was torn in two in center; upper portion and caption missing.		
29	2	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
8	2	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
177	1	Butler.
143	1	Butler.
160	1	Butler.
130	1	Butler.
215	1	Butler.
136	1	Butler.
144	1	Butler.
189	1	Butler.
121	1	Butler.
45	1	Butler.
129	1	Butler.
41	1	Butler.
28	1	Butler.
78	1	Butler.
19	1	Butler.
146	1	Butler.
138	1	Butler.
44	1	Butler.
153	1	Butler.
176	1	Artz.
51	1	Butler.
40	1	Butler.
37	1	Butler.
17	1	Butler.
None	2	Butler.
77	1	Butler.
155	1	Butler.
151	1	Butler.
97	1	Butler.
6	1	Butler.
68	1	Butler.
43	1	Butler.
2	1	Reynolds.
87	1	Reynolds.
14	1	Reynolds.
90	1	Reynolds.
112	2	Rocker.

WARD 14, PRECINCT 3.

Number of ballot.	Initials.	For whom voted.
2.....	2.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		
199.....	2.....	Reynolds.
Attached to Democratic ballot.		
13.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption missing.		
218.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption missing.		
186.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		
41.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		
38.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		
21.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		
103.....	2.....	Butler.
This ballot was torn in two in center, upper portion and caption of ballot missing.		

WARD 14, PRECINCT 4.

58.....	2.....	Nobody.
This ballot torn in two in center, upper portion and caption missing.		
27.....	2.....	Butler.
This ballot torn in two in center, upper portion and caption missing.		
227.....	2.....	Butler.
This ballot torn in two in center, upper portion and caption missing.		
113.....	2.....	Butler.
This ballot torn in two in center, upper portion and caption missing.		
14.....	2.....	Nobody.
17.....	2.....	Nobody.

At the hour of 5 o'clock p. m., of this 31st day of March, 1903, I adjourned the further taking of these depositions until to-morrow, the 1st day of April, 1903, at the hour of 10 o'clock a. m.

Pursuant to adjournment, I resumed the taking of these depositions at the office of the election commissioners of the city of St. Louis, Mo., this 1st day of April, 1903, at the hour of 10 o'clock a. m., Charles W. Holteamp, esq., appearing for contestant; no appearance for contestee.

Testimony of JOHN ELLSPERMANN, Jr., continued.

WARD 14, PRECINCT 5.

Number of ballots.	Initials.	For whom voted.
This envelope contains 20 complete sets of ballots as received from the printer, and none of them detached. Also,		
186.....	2.....	Nobody.
One set of ballots as received from the printer, with the Democratic ballot detached.		

WARD 14, PRECINCT 6.

245.....	None.....	Nobody.
This ballot was torn in two in center, lower portion of ballot missing.		
239.....	None.....	Nobody.
This ballot was torn in two in center, lower portion of ballot missing.		
26.....	2.....	Nobody.
None.....	2.....	Billsbarrow.
None.....	2.....	Reynolds.

WARD 14, PRECINCT 7.

19.....	2.....	Nobody.
172.....	2.....	Reynolds.

WARD 14, PRECINCT 9.

Number of ballot.	Initials.	For whom voted.
89.....	1.....	Reynolds.
About one-third of the upper portion of this ballot torn off and missing.		
80.....	1.....	Reynolds.
This ballot torn in two in center; upper portion and caption missing.		
95.....	2.....	Rocker.
None.....	2.....	Reynolds.
None.....	2.....	Butler.
106.....	2.....	Reynolds.

WARD 14, PRECINCT 10.

None.....	2.....	Nobody.
None.....	2.....	Rocker.
59.....	2.....	Nobody.

WARD 14, PRECINCT 11.

215.....	2.....	Rocker.
This ballot was torn in two in center, upper portion and caption missing.		
None.....	2.....	Butler.
None.....	2.....	Reynolds.
213.....	2.....	Reynolds.
184.....	2.....	Rocker.
One Democratic and Republican ticket not detached; Butler scratched on Democratic, Reynolds unscratched on Republican ticket numbered 146. Two initials on both.		

There are no rejected ballots returned from precincts 2 and 8, Ward 14.

WARD 15, PRECINCT 1.

Number of ballot.	Initials.	For whom voted.
None.....	1.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	1.....	Reynolds.
None.....	None.....	Reynolds.
None.....	1.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	None.....	Reynolds.
None.....	1.....	Butler.
None.....	None.....	Butler.
None.....	1.....	Reynolds.
None.....	None.....	Butler.
None.....	1.....	Butler.
None.....	None.....	Butler.
None.....	1.....	Butler.
None.....	None.....	Butler.
None.....	None.....	Butler.
None.....	1.....	Butler.
None.....	None.....	Reynolds.
None.....	None.....	Butler.
None.....	None.....	Reynolds.
None.....	None.....	Butler.
None.....	1.....	Butler.
None.....	1.....	Butler.
None.....	1.....	Butler.
None.....	None.....	Artz.
None.....	None.....	Rocker.
None.....	None.....	Rocker.
None.....	None.....	Rocker.
None.....	1.....	Artz.
None.....	None.....	Rocker.
None.....	None.....	Reynolds.
This ballot was torn in two in center; upper portion and caption missing.		

WARD 15, PRECINCT 2.

Number of ballot.	Initials.	For whom voted.
83.....	2.....	Billsbarrow.
Ballot was torn in two in center; upper portion and caption missing.		missing.

WARD 15, PRECINCT 4.

None.....	None.....	Reynolds.
44.....	2.....	Rocker.
Initials of one judge twice, and initials of two other judges.		
146.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption missing.		

WARD 15, PRECINCT 8.

17.....	2.....	Nobody.
None.....	2.....	Billsbarrow.

WARD 15, PRECINCT 9.

None.....	None.....	Butler.
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WARD 15, PRECINCT 10.

None.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
None.....	2.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
None.....	2.....	Reynolds.
This ballot was torn in two in center; upper portion and caption of ballot missing.		
Prohibition ticket and Public Ownership ticket attached together; neither ballot is numbered; both have two initials. For whom voted, nobody.		

WARD 15, PRECINCT 11.

None.....	2.....	Butler.
None.....	2.....	Butler.
None.....	2.....	Butler.
21.....	2.....	Nobody.
None.....	2.....	Nobody.
115.....	2.....	Reynolds.
28.....	2.....	Rocker.

There were no rejected ballots returned from the third, fifth, sixth, and seventh precincts of the Fifteenth Ward.

WARD 22, PRECINCT 3.

Number of ballot.	Initials.	For whom voted.
None.....	2.....	Reynolds.
None.....	2.....	Nobody.
None.....	None.....	Billsbarrow.
About one-third of the upper portion of this ballot torn off and missing.		

WARD 22, PRECINCT 4.

Number of ballot.	Initials.	For whom voted.
None	2	Butler.
131.....	2	Butler.
105.....	2	Butler.
6.....	2	Reynolds.
82.....	2	Reynolds.
73.....	2	Reynolds.
14.....	2	Reynolds.
None	2	Billsbarrow.
None	2	Nobody.
98.....	2	Nobody.
All the above ballots were torn in two near center; upper portion and caption of ballot missing.		
13.....	None.....	Reynolds.
This ballot was torn in two just below the candidate's name for Congress; lower portion of ballot missing.		
None	2	Reynolds.
118.....	2	Reynolds.
19.....	1	Reynolds.

WARD 22, PRECINCT 5.

216.....	2	Reynolds.
131.....	2	Butler.
Four complete ballots as received from printer not detached. One set as received from printer with Republican ticket detached.		

At the hour of 12 o'clock noon I adjourned the further taking of these depositions until the hour of 1 o'clock p. m. of this 1st day of April, 1903.

Pursuant to adjournment, I resumed the taking of testimony at the hour of 1 o'clock p. m. of this 1st day of April, 1903, at the office of the election commissioners of the city of St. Louis, Mo.

WARD 22, PRECINCT 7.

Number of ballot.	Initials.	For whom voted.
12.....	2	Reynolds, in print, and Reynolds written underneath in lead pencil.
128.....	2	Reynolds.
This ballot was torn in two in center; upper portion and caption missing.		

WARD 22, PRECINCT 12.

267.....	2	Butler.
182.....	2	Butler.
34.....	2	Butler.
None	2	Reynolds.
None	None.....	Reynolds.
205.....	2	Rocker.
All the above ballots are torn in two in center; upper portion and caption of ballots missing.		

WARD 22, PRECINCT 13.

166.....	2	Reynolds.
This ballot torn in two in center and upper portion and caption missing.		

There are no rejected ballots returned from precincts 1, 2, 6, 8, 9, 10, and 11 of the Twenty-second Ward.

REYNOLDS VS. BUTLER.

WARD 23, PRECINCT 1.

Number of ballot.	Initials.	For whom voted.
105..... 2		Butler.
This ballot was torn in two in center and upper portion and caption of ballot missing.		

WARD 23, PRECINCT 4.

90.....	None.....	Nobody.
This ballot was torn in two in center; lower portion of ballot missing.		

WARD 23, PRECINCT 5.

144..... 2		Reynolds.
This ballot was torn in two in center; upper portion and caption of ballot missing.		

WARD 23, PRECINCT 6.

41..... 2		Nobody.
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WARD 23, PRECINCT 9.

None	2	Butler.
None	2	Nobody.
None	2	Nobody.

WARD 23, PRECINCT 10.

7..... 2		Butler.
This ballot was torn in two just beneath the candidate's name for Congress; lower portion of ballot missing.		
None	None.....	Butler.
This ballot was torn in two in center; upper portion and caption of ballot missing.		

There are no rejected ballots returned from precincts 2, 3, 7, 8, 11, 12, and 13 of the Twenty-third Ward.

WARD 25, PRECINCT 1.

Number of ballot.	Initials.	For whom voted.
172..... 2		Reynolds.
132..... 2		Butler.
143..... 2		Reynolds.
204..... 2		Reynolds.
All the above ballots are torn in two in center; upper portion and caption missing.		
185..... 2		Rocker.
168..... 2		Reynolds.
92..... 2		Reynolds.
None	2	Butler.
One bunch of ballots as received from printer, with Democratic ticket detached.		

WARD 25, PRECINCT 2.

288..... 2		Reynolds.
273..... 2		Butler.
276..... 2		Butler.
All of these ballots were torn in two in center; upper portion and caption missing.		

WARD 25, PRECINCT 4.

None	2	Butler.
None	2	Reynolds.
None	2	Billsbarrow.

Ward 25, precinct 5. Four complete ballots as received from the printer, and 1 complete ballot as received from printer with Democratic ballot detached.

Ward 25, precinct 6. Two complete sets of ballots as received from printer, none detached.

WARD 25, PRECINCT 10.

Number of ballot.	Initials.	For whom voted.
108.....	2	Reynolds.

WARD 25, PRECINCT 11.

None	2	Butler.
None	2	Reynolds.
None	2	Nobody.
None	2	Reynolds.
None	2	Reynolds.
None	2	Reynolds.
None	2	Butler.
None	2	Reynolds.

WARD 25, PRECINCT 13.

6.....	2	Democratic ballot not numbered; 2 initials; Democratic and Republican ballots folded together.
None	2	Reynolds.
29.....	2	Nobody.

There are no rejected ballots returned from precincts 3, 7, 8, 9, and 12 of the Twenty-fifth Ward.

I now adjourn the further taking of these depositions until to-morrow, April 2, 1903, at the hour of 2 o'clock p. m., at the office of the election commissioners of the city of St. Louis, Mo.

Pursuant to adjournment, I resumed the further taking of testimony in this proceeding this 2d day of April, 1903, at the hour of 2 o'clock p. m., at the office of the election commissioners of the city of St. Louis, Mo. W. M. Kinsey, esq., present for contestant; no appearance for contestee.

Testimony of JOHN ELLSPERMANN, JR., continued.

Q. (By Mr. KINSEY.) Since the contestant in this case finished the taking of his testimony in chief in the office of the board of election commissioners has there been a copy made of the registration books used at the election held November 4, 1902, in the new Twelfth Congressional district of Missouri?—A. There has.

Q. By whom or in whose interest was it made, if you know?—A. It was made by clerks selected by me, some of whom were employed in the office, and it was made at the request of Mr. Harry Walsh. For whose use or information it was intended I was not informed.

Q. Between the time of the election of November 4, 1902, and the time when these copies were made to which you have just referred was there any change in the registration books, either by the registration of new names or by the striking off of names that were there November 4, 1902?—A. There were no names added or stricken off these registers except those that appear added in said registers under printed memoranda appearing on each page of said register, as follows, "Board of appeals closed Nov. 1st, 1902;" and the copies referred to in the preceding question contained only the names of qualified voters written above this notation, and no names appearing as those of qualified voters in the November election, 1902, were in any wise changed, altered, and there were no additions or subtractions made to or from such lists.

Q. Was the Harry Walsh who made the request upon you for the copies you have just mentioned the same Harry B. Walsh who appeared specially at the taking of testimony in chief for the contestant in this case at the office of the board of election commissioners as attorney for James J. Butler, the contestee, and protested on behalf of the said contestee against the taking of any testimony in this case on the

ground that the contestant's time for taking testimony in chief has expired?—A. He is the same gentleman.

At the hour of 2.30 o'clock of this 2d day of April, 1903, I adjourned the further taking of testimony in this cause until to-morrow at the hour of 2 p. m., on the 3d day of April, at the office of the election commissioners of the city of St. Louis, Mo.

Owing to the absence of witnesses on this 3d day of April I adjourned the further taking of testimony in this cause until to-morrow at the hour of 10 o'clock a. m., April 4, 1903, at the office of the election commissioners of the city of St. Louis, Mo.

Owing to the absence of witnesses on this 4th day of April, 1903, I adjourned the further taking of testimony in this cause until Monday, April 6, 1903, at the hour of 2 o'clock p. m., at the office of the election commissioners of the city of St. Louis, Mo.

Pursuant to adjournment I resumed the taking of these depositions at the hour of 2 o'clock p. m. of this 6th day of April, 1903, at the office of the election commissioners of the city of St. Louis, Mo.

W. M. Kinsey, esq., appeared for contestant; no appearance for contestee.

Testimony of JOHN ELLSPERMANN, JR., continued.

Q. Mr. Ellspermann, when you last testified in this case, you stated that copies of the registration books had been made by clerks in this office upon the request of Mr. Harry M. Walsh; I forgot to ask you whether, as secretary of the board of election commissioners, you certified to the correctness of the copies thus made. I will now ask you if that is the fact?—A. I certified to their correctness and certified that they contained all the names of all the qualified voters whose names appeared upon those books as qualified voters at that election. I did have a memorandum of the totals of each precinct, but I afterwards threw it away.

I now adjourn the further taking of these depositions at the office of the election commissioners of the city of St. Louis, Mo., until to-morrow, April 7, 1903, at the hour of 10 o'clock a. m.

At the hour of 10 o'clock a. m. of this 7th day of April, 1903, I adjourned the further taking of these depositions until to-morrow, the 8th day of April, 1903, at the hour of 2 o'clock p. m., at the office of the election commissioners of the city of St. Louis, Mo.

At the hour of 2 o'clock p. m. of this 8th day of April, 1903, I adjourned the further taking of these depositions until to-morrow, the 9th day of April, 1903, at the hour of 2 o'clock p. m., at the office of the election commissioners of the city of St. Louis, Mo.

At the hour of 2 o'clock p. m. of this 9th day of April, 1903, I resumed the taking of these depositions at the office of the election commissioners of the city of St. Louis, Mo., W. M. Kinsey, esq., and Charles W. Holtcamp, esq., appearing for contestant; no appearance for contestee.

Testimony of JOHN ELLSPERMANN, JR., continued.

Direct examination by Mr. KINSEY:

Q. Mr. Ellspermann, will you now produce the poll books used at the election held in the city of St. Louis, Mo., on the 4th day of November, 1902, in the seventh precinct of the Fourth Ward, and give me the names of the judges and clerks who signed the certificate attached to these poll books?—A. The names signed to the poll books in the seventh precinct of the Fourth Ward are: Fred. W. Doering, E. Lambert, Charles Reardon, and Hugh P. Burnes, those four are judges; and James O'Laughlin and William Shields, clerks.

Q. Mr. Ellspermann, have you in your custody as secretary of the board of election commissioners, the registration books that were used in the election held November 4, 1902, in the Twelfth Congressional district of Missouri?—A. I have.

Q. Is there a certificate signed by the judges of election in each precinct of the district in these registration books showing the number of qualified voters in each precinct according to the registration books on the 4th day of November, 1902?—A. There is a certificate signed by the judges in each precinct and made a part of each register covering that precinct showing the number of qualified voters in such precinct on November 1, 1902, being the last day for registration of any kind in said registration books; these are the voters that are entitled to vote on November 4.

Q. On what day preceding the election of November 4, 1902, did the precinct registration close and the judges and clerks were required by law to return the registration books to the election commissioners' office?—A. That is shown by the certificates of revision of registration to have been October 18, 1902.

Q. Then any names added to the registration between October 18, 1902, and

November 1, 1902, were such names as were added by the board of appeals, and none other?—A. They are such names as were added by the board of appeals on November 1, October 31, and October 30, being the three days on which the board of election commissioners sat as a board of appeals on cases presented by citizens whose names may have been improperly stricken from the registration books.

Q. And after October 18, 1902, no names were entered except on order of the board of appeals?—A. No.

Q. None could be added under the law?—A. No.

Q. Will you now produce the registry books used at the election held November 4, 1902, in the city of St. Louis, Mo., in each of the precincts of the Fourth, Fifth, Sixth, Thirteenth, Fourteenth, Fifteenth, Twenty-second, Twenty-third, and Twenty-fifth wards and read therefrom the number of legal qualified voters whose names appear in each one of those books, according to the certificate made therein by the judges of each of said election precincts?—A. I will.

Ward.	Pre- cinct.	Number of names.		Ward.	Pre- cinct.	Number of names.	
4.....	1	410		14.....	8	650	
4.....	2	849		14.....	9	223	
4.....	3	890	Certificate is dated November 1.	14.....	10	580	
4.....	4	357		11.....	11	381	
4.....	5	799	Certificate is dated November 2.	15.....	1	234	
4.....	6	324	Certificate signed by 2 judges only.	15.....	2	133	
4.....	7	457		15.....	3	172	
4.....	8	335		15.....	4	264	
4.....	9	354	Certificate is dated November 2.	15.....	5	481	
5.....	1	388	Certificate signed by only 1 judge.	15.....	6	317	
5.....	2	423		15.....	7	295	
5.....	3	595		15.....	8	278	
5.....	4	780		15.....	9	451	
5.....	5	627		15.....	10	490	
5.....	6	435		15.....	11	275	
5.....	7	392		22.....	1	459	
5.....	8	175		22.....	2	224	
5.....	9	385		22.....	3	280	
5.....	10	333		22.....	4	304	
6.....	1	324		22.....	5	507	
6.....	2	311		22.....	6	323	
6.....	3	456		22.....	7	233	
6.....	4	315		22.....	8	222	
6.....	5	388		22.....	9	465	
6.....	6	289		22.....	10	314	
6.....	7	293		22.....	11	793	
6.....	8	590		22.....	12	445	Certificate is dated Oc- tober 5.
6.....	9	234		22.....	13	342	
6.....	10	318		23.....	1	275	
6.....	11	241		23.....	2	217	
6.....	12	382		23.....	3	578	
6.....	13	260		23.....	4	406	
13.....	1	369		23.....	5	198	
13.....	2	387		23.....	6	453	
13.....	3	630		23.....	7	185	
13.....	4	451		23.....	8	178	
13.....	5	370		23.....	9	308	
13.....	6	350		23.....	10	377	
13.....	7	377		23.....	11	455	
13.....	8	337		23.....	12	432	
13.....	9	327		23.....	13	476	
13.....	10	313		25.....	1	377	
13.....	11	321		25.....	2	413	
13.....	12	349		25.....	3	529	Do.
11.....	1	440	Certificate dated Octo- ber 20.	25.....	4	485	Do.
14.....	2	450		25.....	5	326	
14.....	3	531		25.....	6	221	
14.....	4	596		25.....	7	373	Certificate dated Octo- ber 14.
14.....	5	469		25.....	8	490	
14.....	6	411		25.....	9	306	
14.....	7	298		25.....	10	272	
				25.....	11	225	
				25.....	12	223	
				25.....	13	269	

No cross-examination.

JOHN ELLSPERMANN, Jr.

Subscribed in my presence and sworn to before me this 18th day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My commission will expire June 26, 1903.

STATE OF MISSOURI, *City of St. Louis, ss:*

I, A. R. Russell, a notary public within and for the city of St. Louis, in the State of Missouri, do certify that, in pursuance of the annexed notice, came before me, at the office of the board of election commissioners in the city hall, in the said city of St. Louis and State of Missouri, John Ellspermann, jr., who was by me sworn to testify the whole truth of his knowledge touching the matter in controversy aforesaid; that he was examined and his examination reduced to writing and subscribed by him in my presence on the day, between the hours, and at the place in that behalf first aforesaid, and his said deposition is now herewith returned.

Given at the city of St. Louis, in the State of Missouri, this 18th day of April, A. D. 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My commission will expire June 26, 1905.

NOTICE TO TAKE DEPOSITIONS.

TO JAMES J. BUTLER, *Contestee:*

You are hereby notified that on the 2d day of April, 1903, beginning at the hour of 10 o'clock a. m., before Alexander R. Russell, a notary public, at room 12 of the Keiser Building, No. 417 Pine street, in the city of St. Louis, Mo., testimony of witnesses will be taken on my behalf, for use in the contested election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, in which case I am the contestant and you are the contestee, for the office of Representative from the said district in the said Congress; and if the taking of said testimony is not concluded on that day, the further taking thereof will be continued at the same place and beginning at the same hour from day to day until entirely concluded.

Names and addresses of witnesses whose testimony will be taken under this notice:

Percival Adams, 1007 Chestnut street; S. T. Rockwell, 919 Chestnut street; A. J. Mattock, 3705 A Chouteau avenue; Oliver Holmes, 3705 Chouteau avenue; Henry Westerman, 913½ Pine street; John B. Owen, 1206 Morrison avenue.

GEORGE D. REYNOLDS, *Contestant*,
By WILLIAM M. KINSEY,
FRANK E. RICHEY,
CHARLES W. HOLTCAMP,
His Attorneys.

STATE OF MISSOURI, *City of St. Louis, ss:*

I hereby certify that I served the foregoing notice on James J. Butler, the contestee, on the 1st day of April, 1903, in the city of St. Louis, Mo., by leaving a duplicate of this notice at his usual place of abode in the city of St. Louis, Mo., after making diligent search to find and serve him personally; also after making diligent effort to find counsel who profess to represent him, without finding either contestee or his counsel.

SIDNEY L. BARNARD.

Subscribed and sworn to before me this 6th day of April, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

STATE OF MISSOURI, *City of St. Louis, ss:*

Depositions of witnesses produced and sworn and examined on the 2d day of April, 1903, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, at room 12, fourth floor of the Keiser Building, 417 Pine street, in the city of St. Louis, Mo., before me, A. R. Russell, a notary public within and for said city of St. Louis and State of Missouri, in the contested election case of George D. Reynolds, contestant, against James J. Butler, contestee, now pending before the Fifty-eighth Congress of the United States from the Twelfth district of Missouri, on the part of the contestant.

Appearances: Messrs. Frank E. Richey and Charles W. Holtcamp for contestant.
No appearance for contestee.

GEORGE E. ROCKWELL, of lawful age, being produced and sworn and examined on behalf of contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Your name is George E. Rockwell?—A. Yes, sir.

Q. Where do you live, Mr. Rockwell?—A. I live now at No. 19 North Tenth street. I lived at No. 919 Chestnut street last fall. I still have the place No. 919 Chestnut street, but I live at 19 North Tenth street myself, where I have a rooming house.

Q. Were you a judge of election of the seventh precinct of the Fifth Ward at the election held in the city of St. Louis, Mo., on the 4th day of November of last year?—A. Yes, sir.

Q. Do you know Otto Radditz?—A. Yes, sir.

Q. He was clerk of election in that precinct at the last election?—A. Yes, sir.

Q. Do you know John A. Gernez?—A. Yes, sir.

Q. He was a judge of election for that precinct in November of last year?—A. Yes, sir; he had a commission as judge.

Q. Do you know Percival Adams?—A. Yes, sir.

Q. What, if anything, did Mr. Adams have to do in connection with the election in that precinct in November of last year?—A. Well, he filled the vacancy of John A. Gernez as judge.

Q. That is to say, Mr. Gernez, who was the regularly commissioned judge, was absent during the election?—A. Yes, and on the two revision days, and on election day until—I wouldn't be positive—but until about 5 o'clock in the evening, as near as I can remember, within an hour or an hour and a half of the time the polls closed.

Q. And Mr. Percival Adams acted on the two days in October when the registration was being revised in that precinct, and he acted as a judge of election on election day, November 4, 1902, from the time the polls opened in the morning until within an hour and a half, or such a matter, of the closing of the polls?—A. Yes, sir.

Q. When Mr. Gernez came to that polling place—by the way, where was that polling place?—A. 20 North Tenth street.

Q. What did Mr. Adams do when Mr. Gernez came?—A. Gernez took his place, and Adams went away.

Q. Did Mr. Adams then act as judge throughout the day except the last hour and a half or such a matter?—A. Yes, sir.

Q. And when Mr. Gernez came Mr. Adams ceased acting as a judge of election and Mr. Gernez took his place and acted as judge the balance of the day?—A. Yes, sir; the balance of the evening.

Q. What part of the work at that polling place did Mr. Adams do while he was there?—A. He and one of the Democratic judges signed their initials to the ballots and placed them in front of them.

Q. Who signed the returns from that precinct?—A. Who signed the returns?

Q. Who signed the official returns at the close of the election?—A. There were G. W. Nolan, John McNamara, John A. Gernez, and myself.

Q. Then Mr. Percival Adams did not sign the election returns from that precinct?—A. To my best knowledge, he did not. He was not there at that time of the night.

Q. Do you know where Percival Adams lived during the months of October and November of last year?—A. No, sir; I do not know where he lived.

No cross-examination.

G. E. ROCKWELL.

Subscribed in my presence and sworn to before me this 21st day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My commission expires June 26, 1905.

ANDREW J. MATLOCK, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP for contestant:

Q. State your name and place of residence.—A. My name is Andrew J. Matlock; I live at 3705A Chouteau avenue.

Q. In the city of St. Louis, Mo.?—A. Yes, sir; city of St. Louis.

Q. What is your occupation, Mr. Matlock?—A. I am employed as private watchman by the Frisco Railroad Company.

Q. Did you live at the same place November last?—A. Yes, sir.

Q. Were you at home on election day of last year—November 4, 1902?—A. Yes, sir.

Q. How near was your residence to the polling place?—A. One door; one door west.

Q. Do you remember the ward and precinct?—A. It was the Twenty-third Ward; I don't remember the precinct.

Q. Would you recollect if your attention was called to it—would you recollect whether it was the twelfth precinct of the Twenty-third Ward?—A. Yes, sir; I think it was; I think you are right.

Q. I will ask you to state whether or not during that day, while the election was being conducted at that polling place, in the twelfth precinct of the Twenty-third Ward, you saw anything unusual on the part of anyone in connection with the election.—A. Well, I didn't see anything unusual, except some negroes.

Q. Well, just state what that was.—A. About 6 o'clock in the evening, I think it was about 6 o'clock, there was a gang of negroes came to the polling place—

Q. How large a crowd?—A. Probably a dozen.

Q. Now, just state what you saw.—A. Well, I saw them all go into the polling place, and, I suppose, voted, and after being in there some time they came out and went to the saloon on the corner, which was two or three doors from the polling place. I went into the saloon. They have a room partitioned off in the back of the saloon and use it as sort of a dressing room for baseball clubs and things of that kind. Those negroes went into that dressing room; there was a white man with them and he had a lot of little strips of paper about 3 or four inches long and perhaps an inch wide, and I saw him handing out those slips to those colored people in the saloon, and I noticed the colored gentlemen changing hats and coats and then they went back out of the saloon and into the polling place; they were in there some time and returned to the saloon a second time and got their slips and changed coats and hats and then went to the polling place the third time, and then they came back to the saloon and took a few drinks and then went away.

Q. That was about 6 o'clock in the evening?—A. As nearly as I can remember, it was about 6 o'clock in the evening.

Q. And that was at the election held in the twelfth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. On the 4th day of November, 1902?—A. Yes, sir.

Q. And that was in the Twelfth Congressional district of Missouri?—A. Yes.

No cross-examination.

ANDREW J. MATLOCK.

Subscribed and sworn to before me this 21st day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My term expires June 26, 1905.

OLIVER HOLMES, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP for contestant:

Q. State your name.—A. Oliver Holmes.

Q. How old are you?—A. I am 65.

Q. I see you are a veteran of the civil war?—A. I am, and I had five brothers in the war of the rebellion, a grandfather in the war of 1812, and a great-grandfather in the Revolution. I am a relative of Oliver Wendell Holmes.

Q. Where did you reside on the 4th day of last November?—A. 3705 Chouteau avenue.

Q. In the city of St. Louis?—A. Yes, sir.

Q. That is the twelfth precinct of the Twenty-third Ward?—A. Yes, sir; twelfth precinct of the Twenty-third Ward.

Q. Were you in the city that day?—A. Yes, sir.

Q. Were you at home during the day?—A. Yes, sir; I was.

Q. How near to the polling place do you reside?—A. One door. The election was held in one of my houses, next to the one I live in, and it was held there without my consent.

Q. Did you see anything unusual or improper on the part of any persons in connection with the election held there on that day, November 4, 1902?—A. About 9 o'clock in the morning I came out of my house, which was next door to the polling place, and saw Mr. Matlock, the witness who has just testified, across the street talking to two colored men. I went across the street to them and Mr. Matlock introduced me to them, telling them that I was a Republican, and they stated that they were there to watch what was going on at that polling place, but they did not know whether they would be allowed to remain there. I told them to step a little farther away and up on a bank and sit down on some rocks, and no one could disturb them there, because they would then be beyond the 100-foot limit. I went away and in a little while I saw that both the colored men were gone. The next day I inquired of

Patrolman Cary, who was on duty on that beat, and who was on duty at the polling place at the election—I asked him whether he knew what had become of them. He stated that some fellow at the corner saloon across the street complained to him and had made an affidavit to the effect that they were afraid of these colored men, and he thereupon arrested them and took them away. Neither one of these colored men appeared there after that time, and I did not see them after that. In the evening about 6 o'clock I was standing on the steps of my doorway and saw a number of fellows come out of the saloon adjoining the polling place and go into the polling place. They walked very close to the building, and when they first saw me they appeared to be startled and hesitated, but went on into the polling place; there were quite a number of them, both white and colored.

No cross-examination.

OLIVER HOLMES.

Subscribed and sworn to before me this 21st day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My term will expire June 26, 1905.

I now adjourn the further taking of testimony in this cause until to-morrow, April 3, 1903, at the hour of 10 o'clock a. m.

Owing to the absence of witnesses on this 3d day of April, 1903, I adjourned the further taking of testimony under this notice sine die.

STATE OF MISSOURI, *City of St. Louis, ss:*

I, A. R. Russell, a notary public within and for the city of St. Louis, in the State of Missouri, do certify that in pursuance of the annexed notice, came before me, at room 12, fourth floor, Keiser Building, No. 417 Pine street, in the city of St. Louis, Mo., George E. Rockwell, Andrew J. Matlock, and Oliver Holmes, who were by me severally sworn to testify the whole truth of their knowledge touching the matter in controversy aforesaid; that they were examined, and their examination reduced to writing and subscribed by them, respectively, in my presence, on the day, between the hours, and at the place in that behalf first aforesaid, and their said depositions are now herewith returned.

Given at the city of St. Louis, in the State of Missouri, this 21st day of April, A. D. 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My commission will expire June 26, 1905.

NOTICE TO TAKE DEPOSITIONS.

TO JAMES J. BUTLER, *Contestee*:

You are hereby notified that on the 6th day of April, 1903, beginning at the hour of 10 o'clock a. m., before Alexander R. Russell, a notary public, at room 704 Oriol Building, No. 316 North Sixth street, in the city of St. Louis, Mo., testimony of witnesses will be taken on my behalf, for use in the contested-election case now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, in which case I am the contestant and you are the contestee, for the office of Representative from the said district in the said Congress, and if the taking of said testimony is not concluded on that day the further taking thereof will be continued at the same place and beginning at the same hour from day to day until entirely concluded.

Names and addresses of witnesses whose testimony will be taken under this notice:

Percival Adams, 1007 Chestnut street; S. T. Rockwell, 919 Chestnut street; A. J. Matlock, 3705A Chouteau avenue; Oliver Holmes, 3705 Chouteau avenue; Henry Westernman, 913½ Pine street; John B. Owen, 1206 Morrison avenue.

GEORGE D. REYNOLDS, *Contestant*,
By WILLIAM M. KINSEY,
FRANK E. RICHEY,
CHARLES W. HOLTCAMP,
His Attorneys.

STATE OF MISSOURI, *City of St. Louis, ss:*

I hereby certify that I served the foregoing notice on James J. Butler, the contestee, on the 3d day of April, 1903, in the city of St. Louis, Mo., by leaving a duplicate of this notice at his usual place of abode in the city of St. Louis, Mo., after making diligent search to find and serve him personally; also after diligent effort to

find counsel who profess to represent him, without finding either contestee or his counsel.

SID. L. BARNARD.

Subscribed and sworn to before me this 6th day of April, 1903.

[SEAL.]

A. R. RUSSELL,
Notary Public, City of St. Louis, Mo.

My term expires June 26, 1905.

STATE OF MISSOURI, *City of St. Louis, ss:*

Depositions of witnesses produced and sworn and examined on the 6th day of April, 1903, between the hours of 8 in the forenoon and 6 o'clock in the afternoon (commencing at the hour of 10 o'clock in the forenoon) of that day at room 704 Oriel Building, in the city of St. Louis, Mo., before me, A. R. Russell, a notary public within and for the city of St. Louis and State of Missouri, in the contested-election case of George D. Reynolds, contestant, against James J. Butler, contestee, now pending before the Fifty-eighth Congress of the United States from the Twelfth Congressional district of Missouri, on the part of the contestant.

Appearances: W. M. Kinsey, esq., appeared for the contestant.

No appearance for contestee.

HENRY WESTERMAN, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. Please state your name in full.—A. Henry Westerman.

Q. Where do you reside, Mr. Westerman?—A. I reside at 913½ Pine street, in the city of St. Louis, Mo.

Q. In what ward and precinct is your residence?—A. Fourth Ward and seventh precinct.

Q. To what political party do you belong?—A. I am a Republican. I was formerly member of the Republican central committee from the Fourth Ward. That was for four years, from 1894 to 1898.

Q. Were you a member of the city central committee at the time of the last election in this city, held November 4, 1902?—A. At this last election?

Q. Yes; the election held last fall?—A. No, sir.

Q. Did you take any part in that election?—A. Well, some part. I was asked to do certain work in that ward by Mr. John B. Owens, a personal friend of mine.

Q. Are you familiar with the printed lists of registered voters that are issued by the board of election commissioners of this city?—A. Yes, sir.

Q. You know what they are?—A. Yes, sir.

Q. Did you make application to the board of election commissioners of this city at any time shortly before the election of November last year for a copy of the registration books of this city or of the Fourth Ward?—A. No, sir. I applied to Mr. Aloe's assistant first—Mr. Charles Claudius—who was assistant to Mr. Aloe, and he referred me to Mr. Wood—

Q. Who is Mr. Wood?—A. Mr. Wood is one of the board of election commissioners; he is a member of the board. Mr. Wood said, "Yes; I could copy the registration," and he said, "Yes, but they were using the books and I could only get the use of one book at a time, a precinct at a time," and the next morning I came down with three men and wanted to make the copies. We have nine precincts, and I thought they could each copy a precinct a day, and we could get through with the ward in three days. When I went there that morning the secretary of the board, Mr. Louis Kunz, said, "Nothing doing; no registration to be copied here."

Q. Now, when was it you made this application to copy the registration books?—A. That was in October I was asked to do that; it was along about the 20th; I didn't put it down, but it was along about the 20th day of October.

Q. Was it before or after the registration was closed?—A. The registration had been completed.

Q. Then it was after?—A. Yes, sir.

Q. Now, tell me just exactly what it was you wanted to make a copy of?—A. I wanted to make a copy of the entire Fourth Ward.

Q. Do you mean that you wanted to get a copy of the original registration book?—A. Yes; the original registration books.

Q. In that you mean the books in which the names of the voters are registered or were registered for the election held in November, 1902?—A. Yes, sir.

Q. That is to say, the original registration book?—A. That was what I wanted to get at. I wanted to get the original registration book and make that copy.

Q. You understand that the registration is contained in two books, one original and one copy?—A. Yes, sir.

Q. And your purpose was to take a copy of the original registration book of all the precincts of the Fourth Ward?—A. Yes, sir.

Q. You say that Judge Wood, one of the election commissioners, told you you might have it?—A. Yes, sir; I was standing only a few feet from him and Mr. Claudius, and Mr. Claudius spoke to him about it and then said to me: "Yes; you may have it."

Q. Was Mr. Claudius a clerk in the election commissioners' office at that time?—A. Yes, sir; at that time.

Q. And you heard what Judge Wood said to Mr. Claudius?—A. I did not hear it personally; Mr. Claudius told me I might have it, after speaking to Judge Wood.

Q. Then it was the next day that in pursuance of this permission you went back?—A. Yes, sir; I told them I would start the next morning, and when I got there Mr. Kunz said he had orders from the board.

Q. Now, when you went back there the next morning Mr. Kunz, who was secretary of the board, told you what?—A. That I could not copy them.

Q. What did he say about any orders from the board of election commissioners?—A. He said he had his instructions from the board not to let anyone have those registration books.

Q. He had instructions not to let anyone have those books?—A. Yes, sir; not to let anyone have those books.

Q. What books?—A. The original registration books; those that were used in the precincts.

Q. So you were not able, then, to get a copy at all?—A. No, sir; I always had been able to get copies of these books before the last election.

Q. And you always had done so?—A. Yes, sir.

Q. Do you mean that you were always permitted to take these copies of the registration books prior to the last election?—A. Yes; I always made copies of these books before that time.

Q. Did Mr. Kunz give any reason for refusing to allow you to take copies of these books?—A. He gave me no reason; just said I could not make the copies; he said that was his instruction.

Q. What use did you desire to make of these copies which you wanted to take?—A. I wanted them for my own personal use. I knew there was fraudulent registration in that ward and wanted to see how many fraudulent voters there were registered.

Q. Your purpose, then, was to detect fraudulent voters?—A. Yes, sir; to check the registration up and find the fraudulent voters.

Q. Did you tell Mr. Kunz, the secretary of the board of election commissioners, what use you wanted to make of these copies?—A. I asked him first if I could copy the names before I made the request of Mr. Claudius. He said he would see what he could do for me. He asked me what I wanted to do with them. I said I was asked to get them for the use of the Congressional committee.

Q. Now, the Congressional committee you refer to was the Congressional committee of the Twelfth Congressional district of Missouri?—A. Yes, sir; the Republican Congressional committee of the Twelfth district.

Q. And the Fourth Ward you speak of is a part of that district?—A. Yes, sir.

Q. Both of the old district and of the new district?—A. Yes.

Q. Did you get printed lists of the registration which were referred to in the early part of your testimony?—A. Yes, sir; I have a set at home now.

Q. You applied for a copy of the printed registration lists after the registration had closed in October of last year?—A. Yes, sir.

Q. Did you make an effort to determine the number of fraudulent voters registered in your precinct at the last election from the printed registration list?—A. Well, no; I didn't take the trouble because it wouldn't do any good; because they had about 800 voters registered in my precinct, and I knew there were just about 150 legal voters.

Q. Would a copy of the original registration books of the Fourth Ward enable you to find out who were fraudulently registered?—A. Why, in my precinct the printed list only showed about 260 or 265 on that; they did not print what they had registered.

Q. And the printed lists only contain about 260 or 265 names?—A. Yes; only a very small part of the names on the registration books.

Q. And the registration amounted to about 826 names of alleged voters?—A. Yes, sir.

Q. Would a copy of the original books of registration enable you to find out the number of voters that had been fraudulently registered?—A. Yes, sir; certainly. If they could have been gotten they could have been checked up.

Q. And your failure to get such a copy prevented you from finding out who were fraudulently registered in your own precinct?—A. Yes, sir.

Q. And you were not able to do that from a printed list given out by the board of election commissioners?—A. No. There were less than one-third on the printed list of the names on the registration books from my precinct.

Q. Do you know of any other person who tried to get a copy of the registration books?—A. No; I do not. They wouldn't give them to anybody. No one could get them.

No cross-examination.

HENRY WESTERMAN.

Subscribed and sworn to before me this 21st day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My commission will expire June 26, 1905.

I now adjourn the further taking of these depositions until to-morrow, April 7, 1903, at the hour of 10 o'clock a. m., at room 704, Oriel Building, St. Louis, Mo.

Owing to the absence of witnesses on this 7th day of April, 1903, at the hour of 10 o'clock a. m., I adjourn the further taking of these depositions until to-morrow, April 8, 1903, at the hour of 10 o'clock a. m., at room 704, Oriel Building, St. Louis, Mo.

Owing to the absence of witnesses on this 8th day of April, 1903, at the hour of 10 o'clock a. m., I adjourn the further taking of these depositions until to-morrow, April 9, 1903, at the hour of 10 o'clock a. m., at room 704, Oriel Building, St. Louis, Mo.

Pursuant to adjournment I resumed the taking of testimony in this case at the hour of 10 o'clock a. m. of this 9th day of April, 1903, at room 704, Oriel Building, in the city of St. Louis, Mo.

W. M. Kinsey, esq., appearing for contestant; no appearance for contestee.

WILLIAM POINDEXTER, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. Please state your name in full.—A. William Poindexter.

Q. Where do you live, Mr. Poindexter?—A. 209 Chestnut street, upstairs, second floor, in the city of St. Louis, Mo.

Q. How long have you lived at that place?—A. It must be about five months; I moved there a few days before the election.

Q. Where did you live prior to that?—A. I lived at 19 South Fourth street, in the rear.

Q. How long have you lived in St. Louis?—A. I came here on the 7th day of September, 1874.

Q. Do you know in what ward you live in?—A. I think it is the Fourth Ward.

Q. Did you vote, or offer to vote, at the election held November 4, 1902?—A. Yes, sir; I voted.

Q. At what place?—A. I do not know the number of the polling place, but it was right across the street from the old post-office on Third street.

Q. Before offering to vote you obtained a transfer at the election commissioners' office from the place where you lived on Fourth street to— A. To the place where I voted at, yes, sir; but I got it at the same place where I voted. That's where I was transferred.

Q. Did you get transferred?—A. Yes, sir; they held me there for about five minutes and asked me questions, and a gentleman said I had the right to vote there and they put me down, and when I went back to vote I had no trouble to get a ballot.

Q. Who told you it was all right?—A. I suppose it was a judge; there were three or four there in the place.

Q. Did they have the election books—the registration books there before them?—A. Yes, sir.

Q. I am speaking now of the time you were transferred.—A. Yes, sir; they held me about five minutes and then said I could transfer. And they said I had a right to do that if I hadn't been there but a day.

Q. What time in the day did you go to the polling place to vote—at the polling place on Third street opposite the old post-office?—A. About 5 o'clock; between 5 and half past 5 in the evening.

Q. When you went in did you give your name?—A. Yes, sir.

Q. And they looked your name up in the registration books?—A. Yes, sir.

Q. And one of the judges gave you a ballot?—A. Yes, sir.

Q. After you got your ballot what did you do with it?—A. I took the ballot and went into one of the boxes and tore it out, and a policeman was right besides me sit-

ting in a chair and he asked me if I wanted any information how to vote. And I asked a judge if he would be kind enough to scratch out the "No"—

Q. On the constitutional amendments?—A. Yes, sir; and the man that had handed me my ballot asked me what kind of a ticket I wanted to vote. I told him I wanted to vote the Republican ticket, and I had been instructed just what ticket it was. I tore it out and he took the same bunch again and tore out another ballot, which was about the third or fourth ticket, and rolled mine up and threw it in a basket.

Q. The one that you tore out he rolled up and threw into a basket?—A. Yes, sir; and he then tore out another. I said, "I don't want anything else touched, but just to have the 'No' scratched out on the amendments." He said I hadn't the right ballot; that he had it fixed all right. He wrote something on the bottom of the ticket. He went up to the ballot box, which was sitting just like that [indicating], and he held the ballot in his hand, and the policeman said to me, "It's all right," and I thought he was going to put it in the box. I said to myself, "He didn't put that ballot into the box," and the policeman said to me it was all right. I made a stop to watch him, and the policeman said that it was all right.

Q. The ballot which you tore out yourself and which you thought was a Republican ballot, the judge rolled up in his hand and threw away?—A. Yes, sir.

Q. And then he took a ballot, which was the third or fourth from the top?—A. Yes, sir.

Q. Did you know whether it was a Republican ballot or some other ballot?—A. No, sir.

Q. What did you say?—A. I said I wanted to vote a straight Republican ticket.

Q. And you told him you simply wanted to scratch out "No" on the constitutional amendments?—A. Yes, sir.

Q. After the judge took out a ballot for you, he folded that one up?—A. Yes, sir.

Q. Did he scratch out the word "No"?—A. No, sir; he simply wrote something on the bottom of the ticket.

Q. What did he then do with it?—A. He folded up the ticket and said, "That's all right."

Q. Now, did he put it in the ballot box?—A. I don't believe he did. I think he just slipped it down alongside of the ballot box.

Q. Did you see the ballot go down on the outside of the box?—A. Yes; I thought it did.

Q. How old are you, Mr. Poindexter?—A. I am in my sixty-eighth year.

Q. You are a colored man?—A. Yes, sir; sure.

Q. You don't know how to read or write?—A. No, sir.

Q. Had you been told by some of your friends before you went into the polling place to take out the second ticket from the top?—A. Yes, sir.

Q. And that that would be the Republican ticket?—A. Yes, sir.

Q. And that was the ticket you tore out yourself?—A. Yes, sir.

Q. And the only thing you asked the judge to do was to scratch out the word "No" on the Republican ticket after the constitutional amendments?—A. Yes; I told him to just scratch out the "No."

Q. Now what did the judge tell you about the ticket that you had torn out yourself?—A. He said I didn't have the right one.

Q. Do you know his name?—A. No, sir.

Q. Can you read numbers?—A. Yes, sir; I can read numbers.

Q. Do you know what number was on the ballot you voted?—A. Yes, sir; it was No. 130.

Q. Did you look at that number when you went into the booth?—A. Yes, sir.

Q. And the judge folded up and threw away the ticket which you wanted to vote? Did he put a number on the other ballot which he threw out?—A. Yes, sir.

Q. How many policemen were there there at that polling place at that time?—A. One—one inside and one on the outside.

Q. Now, tell me again what the policeman said to you.—A. He only said two words to me. When I went to go into the booth I kind of stopped, and the policeman asked me if I wanted any information how to vote. Then I said to one of the judges, "Will you please be kind enough to scratch out the word 'No' of this ticket?"

Q. Now, when you said that, did you tell him or did he say anything about the constitutional amendments?—A. Yes, sir; I said, "Will you please scratch out the word 'No' on the constitutional amendments?" and I said, "I don't want nothing else scratched," and he said, "You haven't got the right ticket," and he took the bunch and tore me out another one.

Q. When he told you that you didn't have the right ticket, did you believe him?—A. No; I did not. I had already taken the right one.

Q. That was the second from the top?—A. Yes, sir.

Q. You are sure you took the second one from the top?—A. Yes, sir; I am sure of that.

Q. What is your business?—A. I am a janitor now.

Q. In what building?—A. The Granite Block.

Q. Where were you born?—A. Lynchburg, Va.

Q. Did you come from Virginia to the city of St. Louis?—A. No, sir; not direct.

Q. Where were you before coming here?—A. I lived in Baltimore first and then at Saratoga Springs.

Q. You have been a laborer of some kind ever since coming to St. Lous?—A. Yes, sir.

Q. Have you a family?—A. Well, I can't say exactly that I'm married, but I have a woman and two children.

Q. Well, you are living with this woman as your wife, and these are your children?—A. Oh, yes, sir; I lived with her for about fourteen years.

Q. Well, I guess you're married to her under the laws of this State. Were there any other persons in the polling place at the time you went to vote?—A. No, sir.

Q. And this was about half past 5 in the evening?—A. Yes, sir.

Q. Was it dark or light in there?—A. They had the gas burning.

Q. Where were you during the rest of the election day?—A. At the building where I work. I went there at 7 o'clock in the morning and I got off a little after 5 to go to vote.

Q. And all the rest of the day, except the short time you took to go to vote, you were at the Granite Building?—A. Yes, sir.

Q. Then you don't know what occurred at any other time during election day in this precinct?—A. No, sir; neither before nor afterward.

Q. Have you always been a Republican?—A. Never voted anything else in my life but a Republican ticket until they switched ballots on me that day.

Q. It was your intention to vote a Republican ticket?—A. Yes, sir. I don't know how to vote any other kind.

Q. And you told the judge you wanted to vote a Republican ticket?—A. Yes, sir.

Q. Can you give the street number where this polling place was?—A. It was on Third street between Pine and Olive.

Q. Do you know the number of the precinct?—A. No, sir; I don't remember that.

Q. Let me ask you another question about the ballot—about the number on the ballot. Did you see it put on?—A. I saw the man that put the ballot in the box when I handed it to him and asked him to scratch it. He did not scratch it himself and I handed it to the opposite man, and he was the man that put the number on this ballot, and before he passed it over to him he put on it number "130" and handed it over.

Q. But the ballot that you tore out yourself—was there any number on that one?—A. I did not see any number on that ballot.

Q. Do you know whether the judge was a Republican or Democratic judge?—A. No, sir.

Q. And this judge who took the ballot out for you, did he take it out of the same bunch?—A. Yes, sir.

Q. So there were two ballots out of that bunch?—A. Yes, sir.

No cross-examination.

WM. (his x mark) POINDEXTER.

Witness:

A. R. RUSSELL.

Subscribed and sworn to before me this 20th day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My commission will expire June 26, 1905.

GEORGE B. TEASDALE, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. Mr. Teasdale, you are chairman of the Republican Congressional committee of the Twelfth district of Missouri?—A. Yes, sir.

Q. And you were acting as such during the campaign and election of November, 1902?—A. Yes, sir.

Q. You have been an active worker in politics for some years in this city?—A. I have.

Q. And your duties as chairman of the Congressional committee and your connec-

tion with politics have made you familiar with the election machinery of the city of St. Louis?—A. Yes, sir.

Q. Do you know the location of the polling place that was referred to by Mr. Poindexter, the witness who has just testified?—A. Yes, sir.

Q. You have heard all of the testimony of Mr. Poindexter as given here to-day?—A. Yes, sir.

Q. In what precinct and ward is the polling place at which he testified he voted?—A. First precinct of the Fourth Ward.

Q. I will ask you if the ballots prepared by the board of election commissioners for the voter, under the laws of this State, are not made up in bunches, each party having a separate slip or ballot with the names of its candidates, and fastened together one on top of the other?—A. Yes, sir.

Q. What was the number of the ballots thus prepared for the election held November 4, 1902?—A. There were about 8 ballots.

Q. What was the first ticket on top?—A. The Democratic ticket.

Q. And the next?—A. The Republican ticket.

Q. Do you remember what the third and fourth ballots were?—A. No; I do not.

Q. But the tickets of the leading parties were the first and second?—A. Yes, sir.

Q. Now, if anyone tore out the second ticket of the bunch he would get a Republican ticket?—A. He would.

Q. And a ballot taken from any other place in the bunch would be some ballot other than a Republican ballot?—A. It would.

No cross-examination.

GEO. B. TEASDALE.

Sworn and subscribed to before me this 21st day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public*.

My commission will expire June 26, 1905.

I now adjourn the further taking of these depositions until to-morrow, the 10th day of April, at the hour of 10 o'clock a. m., at room 704, Oriel Building, city of St. Louis, Mo.

Pursuant to adjournment, I resumed the taking of these depositions on this 10th day of April, 1903, at the hour of 10 o'clock a. m., at room No. 704, Oriel Building, city of St. Louis, Mo.

Messrs. W. M. Kinsey, Frank E. Richey, and Chas. W. Holtecamp appeared for contestant; no appearance for the contestee.

EUGENE BUDER, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. State your name in full.—A. Eugene Buder.

Q. Are you a notary public?—A. Yes, sir.

Q. Did you act as notary public in the taking of testimony in the contested election case of George C. R. Wagoner *v.* J. J. Butler?—A. Yes, sir.

Q. That was the case passed upon by the Fifty-seventh Congress at the close of its session?—A. Yes, sir; for the short term.

Q. Did you take some testimony at the office of the board of election commissioners?—A. Yes, sir; I took some at the election commissioners' office.

Q. You have already testified as to that in the case of George D. Reynolds *v.* James J. Butler, this case?—A. Yes, sir.

Q. In addition to the testimony which you took at the office of the election commissioners, did you take any other testimony in the Wagoner-Butler contest?—A. Yes, sir; I took testimony at the Keiser Building, 417 Pine street, St. Louis, Mo., beginning on the 19th day of December, 1902, up to and including the 27th day of December, 1902.

Q. Did you keep a record of the names of the witnesses who were examined before you during that time?—A. Yes, sir; I kept a record of the names of all of the witnesses who testified before me at that place, the Keiser Building.

Q. Have you that record now before me?—A. Yes, sir.

Q. Will you take it, please, and read from it the names of the witnesses who were examined before you at 417 Pine street, in the Wagoner-Butler contest?—A. Beginning on the 19th of December, I examined Patrick H. Clark, Samuel S. Foster, Philip Schaub, and Joseph I. Walters; on December 20, William D. Koch, George Sauerbrey, John Burmeister, Frank Hunterbricker; on December 22, John Bongartz; on December 23, Anna Harms and W. H. Blake; on December 24, J. W. Taylor and John C. Brockschmith; on December 26, Louis Ligibel, William F. Sherman, and Silas

M. Moser; on December 27, John C. Lyons, Isaac P. Williams, jr., Harry Munson, Henry Edwards, and Major Fowler. That completes the list.

Q. Were there carbon copies of the testimony of all the witnesses whom you have named made by the stenographers when the testimony was written out?—A. Yes, sir; to the best of my knowledge and belief there were carbon copies made.

Q. Have you been shown or have you examined what purports to be the testimony of all of these witnesses?—A. Yes, sir; I have looked over the carbon copies.

Q. Have you made any comparison of the carbon copies that have been shown you with the printed record of the testimony taken in the Wagoner-Butler contest as found in the record of that case, Part I, and issued by the Government Printing Office, at Washington, D. C.?—A. Yes, sir.

Q. State whether you find in the printed record the testimony of the same witnesses that is contained in the carbon copies of the testimony of such witnesses which have been shown you and which are now before you.—A. Yes, sir. The testimony of the witnesses I have just mentioned appears from page 682 to page 739, inclusive, except that of John Bongartz.

Q. That you have not been able to find in the printed record of the testimony?—A. I haven't been able to find that.

Q. I now show you, Mr. Buder, the carbon copies of the testimony of these witnesses, to which reference has been made in your examination, and ask you to state whether these are the copies to which I have referred in my examination of you.—A. Yes, sir; these are the copies referred to by you in your examination.

Q. What can you state, from the best of your knowledge, information, and belief, as to the correctness of these carbon copies?—A. I think that the carbon copies are duplicates of the testimony contained in the printed record, Part I of the testimony printed by the Government Printing Office in the case of George C. R. Wagoner *v.* James J. Butler, as the same appears from pages 682 to 739, inclusive, except that of John Bongartz, which I have been unable to find in the printed record.

Q. Can you state whether the carbon copies are true copies of the original depositions taken by you of the witnesses you have named?—A. I haven't read them word for word, but I have made quite a careful comparison, and I believe they are exact duplicates of the testimony of these witnesses taken before me in the Wagoner-Butler contest.

Q. Where are the original depositions of these witnesses which were taken before you?—A. They must be in Washington, I presume, with the Committee on Elections of the Fifty-seventh Congress for the short term. I forwarded the original depositions—

Q. To the Clerk of the House of Representatives?—A. I forwarded them to the Clerk of the House of Representatives some time in the month of February, 1903, sealed and directed according to the United States statutes.

Mr. KINSEY. We now offer in evidence the carbon copies of the testimony of the witnesses taken by Mr. Buder, as identified by him, and ask the notary to mark them "Contestant's exhibit No. 1, of April 10, 1903."

Q. Mr. Buder, while you were taking the testimony of the witnesses whose names you have just given, I will ask you whether Mr. James J. Butler, the contestee in the case of Wagoner *v.* Butler, was present either in person or by his attorneys?—A. Yes, sir. He was frequently present in person and took part in the cross-examination in person, and was always present by his attorneys.

Q. Are you able to state the names of the attorneys who appeared from time to time for the contestee?—A. Mr. Henry M. Walsh and Mr. Thomas J. Rowe. During the early part of the taking of testimony at the Keiser Building Mr. Butler was present personally most of the time.

No cross-examination.

EUGENE BUDER.

Subscribed in my presence and sworn to before me this 20th day of April, 1903.

[SEAL.]

A. R. RUSSELL, *Notary Public.*

My commission will expire June 26, 1905.

SIDNEY L. BARNARD, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. State your name in full, please.—A. Sidney L. Barnard.

Q. Where do you reside?—A. St. Louis, Mo., 1038 North Leonard avenue.

Q. Were you employed to assist the contestant in taking the testimony in the contested election case of George C. R. Wagoner *v.* James J. Butler for a seat in the

House of Representatives from the Twelfth Congressional district of Missouri for the short term?—A. Yes, sir.

Q. Did you become familiar with all the testimony and exhibits offered in evidence during the taking of testimony in that case?—A. Yes, sir.

Q. Were you employed during the entire time that testimony was being taken?—A. Yes, sir.

Q. Since the taking of the testimony in the Wagoner-Butler case was closed have you been engaged in taking the testimony for the contestant in the contested election case of George D. Reynolds *v.* James J. Butler for a seat in Congress from the Twelfth Congressional district of Missouri for the long term?—A. Yes, sir.

Q. Have you had any experience as an election official since what is known as the "Nesbit law" has prevailed in this city?—A. Yes, sir.

Q. In what capacity?—A. I have acted as clerk ever since the Nesbit law has been in force.

Q. In what ward and precinct?—A. Twenty-first Ward, third and fourth precincts.

Q. Have you in that way and by reason of your connection with these contested election cases become familiar with the manner of conducting elections under that law?—A. Yes, sir; I have.

Q. Are you acquainted at the election commissioners' office?—A. Yes, sir.

Q. Who do you know there?—A. I am personally acquainted with Mr. Aloe and Judge Wood, election commissioners, and with the secretary, Mr. Ellspermann.

Q. Do you know Mr. Martin Moore or Mr. Patrick J. Regan?—A. I know Mr. Regan very well.

Q. What is his position?—A. Clerk to the Republican election commissioner.

Q. How long has he been serving in that capacity?—A. About four months.

Q. Was he a clerk in that office during the time of the taking of testimony in the contested election case of George C. R. Wagoner *v.* James J. Butler?—A. Yes, sir.

Q. Still a clerk?—A. Yes, sir.

Q. Are you familiar with what is known as the lists of registered voters that are issued from the office of the board of election commissioners?—A. Yes, sir; I would say that I have got those lists for the past four or five years always for my own precinct to see who were registered.

Q. And you know that those lists are printed under a provision of the laws of this State?—A. Yes, sir.

Q. And are given by the board of election commissioners to electors who may call for them desiring information with regard to the registration?—A. Yes, sir.

Q. Did you make an application to anyone connected officially with the board of election commissioners for the lists of registered voters issued by the election commissioners of the city of St. Louis in October, 1902, in so far as they relate to the several voting precincts and wards embraced in the present Twelfth Congressional district of Missouri?—A. I did.

Q. Can you, without referring to any record, give the numbers of the wards embraced within that district?—A. The district that I asked for embraced the Fourth, Fifth, Sixth, Thirteenth, Fourteenth, Fifteenth, Twenty-second, Twenty-third, and Twenty-fifth wards.

Q. Where did you make the request for this list of registered voters?—A. Board of election commissioners' office.

Q. About when?—A. About the 10th of February, 1903.

Q. Were the lists of registered voters issued in October, 1902—were they for all the precincts in the wards that you have named, given you upon your request?—A. They were.

Q. From whom did you receive them?—A. From Mr. Patrick J. Regan.

Q. Will you state again what official connection he has with the board of election commissioners?—A. Mr. Regan is the clerk of the Republican election commissioner, Mr. Aloe.

Q. Do you mean that he is a private clerk of Mr. Aloe or that he is a clerk of the board?—A. He is a clerk of the board of election commissioners, but appointed by Mr. Aloe.

Q. At what place did Mr. Regan deliver you these printed lists of registered voters?—A. At the office of the election commissioners at the city hall.

Q. Have you those printed lists now, Mr. Barnard?—A. Yes, sir.

Q. I show you a number of sheets bound in a black flexible cover, the first being marked "List of registered voters, Fourth Ward, first precinct," and the last one reads in a similar manner in print, "Twenty-fifth Ward, thirteenth precinct." Now, I ask you whether these sheets are the lists of registered voters which you have testified you received from Mr. Regan in the office of the board of election commissioners? Do you know what those lists are?—A. Yes, sir. They are the official

printed lists of registered voters, printed by the board of election commissioners to be distributed in the various precincts and wards and issued by the board of election commissioners for the district.

Q. When you say "the district," what do you mean?—A. The Twelfth Congressional district of Missouri.

Q. Your experience heretofore as an election official and your familiarity with these two election contest cases and your pernicious activity in politics have led you to know what these are?—A. Yes, sir; they have.

Q. About their identity and as to what they are you have no doubt?—A. No, sir.

Q. I will ask you, Mr. Barnard, have you counted and numbered all names on each one of these sheets bound in the flexible cover, to which I have just referred?—A. Yes, sir.

Q. And what have you written on each?—A. At the bottom of each column I have written the number of names that are in that column, and upon each sheet I have given the total of names on that sheet.

Q. And you have done that upon each one of those sheets comprising the lists of all the voters in the Twelfth Congressional district?—A. Yes, sir.

Q. In counting the names and giving the numbers of names appearing upon each list have you been careful to put down the correct numbers?—A. I have.

Q. And so far as you know and believe the numbers that you have entered here as the total upon each sheet is the correct total of the number of names appearing thereon?—A. Yes, sir.

Q. And this bound volume of these sheets contains all of the lists relating to every precinct in the Twelfth Congressional district of Missouri?—A. It does.

MR. KINSEY. We now offer in evidence the bound volume of the lists of registered voters produced by the witness and identified by him, and ask the notary to mark the same "Contestant's Exhibit No. 2, of April 10, 1903."

No cross-examination.

SIDNEY L. BARNARD.

Subscribed and sworn to before me this — day of April, 1903.

Notary Public, City of St. Louis, Mo.

My commission expires June 26, 1905.

GEORGE D. REYNOLDS, contestant herein, being recalled, testified as follows:

Q. Mr. Reynolds, about the time you began taking testimony in your contest against Mr. James J. Butler for a seat in the House of Representatives from the Twelfth Congressional district of Missouri in the Fifty-eighth Congress, did you receive any communication from Mr. Butler, the contestee?—A. On the 2d day of February, 1903, this paper, which I now hand to the notary, and which is dated February 2, 1903, addressed to me, and which purports to be signed by James J. Butler, M. C., Twelfth district of Missouri, was handed to me in my house by a gentleman who gave his name as Rogers, and had first told me he was from Washington, D. C. I was on the second floor of my house, and word was brought me that a gentleman from Washington wanted to see me; I went down stairs and saw the gentleman, who introduced himself to me as Mr. Rogers, said he had sent word to that me he was from Washington, but that in fact he was one of Mr. Butler's attorneys, as I understood him, and handed me this paper.

I saw this same gentleman afterwards on the same day in the room at 417 Pine street, where testimony was being taken in this case, and I heard him addressed as Mr. Rogers, and he was in company with Mr. James J. Butler and Mr. Walsh and the other gentlemen who were there on that occasion with Mr. Butler. Those were the only occasions that I ever saw the gentleman to my knowledge; that is, at my house and at this office.

Q. Please state if he was one of the gentlemen who took part in the protest against the taking of testimony.—A. This gentleman, whom I know as Mr. Rogers, took part in protesting before the notary on behalf of Mr. Butler on that occasion. My recollection is that he supplemented remarks on the protest on behalf of Mr. Butler.

GEO. D. REYNOLDS.

Subscribed and sworn to before me this 18th day of April, 1903.

[SEAL.]

A. R. RUSSELL, Notary Public.

My commission will expire June 26, 1905.

Mr. KINSEY. We now offer in evidence the letter identified by the witness, and ask the notary to mark it "Contestant's Exhibit No. 3, of April 10, 1903."

Contestant also offers in evidence in this case, for the purpose of supplying any omissions that may have occurred and in so far as relevant, the printed record of the testimony in the contested election case of George C. R. Wagoner *v.* James J. Butler from the Twelfth Congressional district of Missouri, Parts I and II, which were printed at Washington, D. C., in the Government Printing Office, and was used in the Fifty-seventh Congress in determining the said contested election case of George C. R. Wagoner *v.* James J. Butler.

I now adjourn the further taking of these depositions until the hour of 2 o'clock p. m. of this 10th day of April, 1903, at room 704, Oriel Building, in the city of St. Louis, Mo.

At the hour of 2 o'clock p. m. of this 10th day of April, 1903, I resumed the taking of these depositions at room 704, Oriel Building, in the city of St. Louis, Mo.

W. M. Kinsey, esq., and Chas. W. Holtcamp, esq., appeared for the contestant; no appearance for the contestee.

JOHN B. OWEN, of lawful age, being produced and sworn and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. KINSEY:

Q. Please state your name in full.—A. John B. Owen.

Q. Where do you reside?—A. 1206 Morrison avenue, in the city of St. Louis, Mo.

Q. How long have you lived in this city, Mr. Owen?—A. I have lived here about thirty-five or thirty-six years.

Q. Did you assist the contestant in the contested election case of George C. R. Wagoner *v.* James J. Butler for a seat in the Fifty-seventh Congress for the short term from the Twelfth Congressional district of Missouri in the preparation of the testimony in this case?—A. Yes, sir.

Q. You testified as a witness in that case?—A. Yes, sir.

Q. And you made a tabulation of the votes based upon the evidence taken in the case?—A. Yes, sir.

Q. You were also present at the hearing of the case before the Committee on Elections of the House of Representatives at Washington?—A. Yes, sir.

Q. Have you in like manner been assisting the contestant in the contested-election case of George D. Reynolds *v.* James J. Butler for a seat in the Fifty-eighth Congress of the United States in the preparation of the evidence in his case?—A. Yes, sir.

Q. Have you been doing substantially the same kind of work in the Reynolds case that you did in the Wagoner case?—A. Yes, sir.

Q. Did you have charge of the entire work of making the tabulations of votes in the Reynolds contest?—A. Yes, sir.

Q. Now, before and just after the election of November 4, 1902, I understand you instituted a scheme of detecting fraudulent registration by means of what is called the registered-letter system?—A. Yes, sir.

Q. Before pursuing that inquiry any further, I would like to have you state in what respects the new or present Twelfth Congressional district differs from the boundaries of the old Congressional district in which Mr. Wagoner was the Republican Congressional candidate. Just exclude those parts of the old that are not in the new, and mention new territory that was not in the old.—A. Exclude Ward 7, precinct 12; Ward 12, precincts 11 and 12; Ward 20, precinct 1; Ward 21, precincts 1 and 2; all of Ward 24; Ward 28, precincts 1 and 2.

The new Twelfth Congressional district is composed of all of the following wards: Fourth, Fifth, Sixth, Thirteenth, Fourteenth, Fifteenth, Twenty-second, Twenty-third, and Twenty-fifth.

Q. Now, referring to the next preceding question, Mr. Owen, state in a general way what that scheme was and how you executed it.—A. I sent a registered letter to every man whose name and address appeared upon the printed official registration lists, date of October, 1902, in 64 precincts of the old Twelfth Congressional district, a total of 25,179 letters being sent. Of this number 12,608 were returned with the definite indorsement by the postal authorities to the effect that the addressee did not live at the address indicated on the official printed registration list. Of the 12,608 letters returned with a definite indorsement that the addressee could not be found 4,173 were voted for Congressman for the short term at the election held in St. Louis, Mo., on the 4th day of November, 1902, 3,285 being voted for Butler; 405 for Wagoner; 483 voted either for nobody, or the ballots were missing from the ballot box.

Q. Where are the 12,608 registered letters sent out by you and which were returned to you as you have just testified?—A. So far as I know they are in the possession of the Clerk of the House of Representatives at Washington, D. C.

Q. They were offered in evidence in the Wagoner-Butler contest?—A. Yes, sir.

Q. And marked as exhibits in that case?—A. Yes, sir.

Q. How did you ascertain the fact that out of the 12,608 persons to whom these returned registered letters had been addressed 4,173 of them voted?—A. By comparison of the letters returned with the testimony taken in the election commissioners' office in the Wagoner-Butler contest.

Q. And how did you ascertain the fact that of these 4,173 who voted 3,285 of them voted for Mr. Butler and against Mr. Wagoner?—A. By comparison of the returned envelopes with the testimony taken in the election commissioners' office in the Wagoner-Butler contest.

Q. And how did you ascertain the fact that 405 in like manner voted for Wagoner and against Mr. Butler?—A. By comparison of the returned envelopes with the testimony taken at the election commissioners' office in the Wagoner-Butler contest.

Q. And how did you ascertain the fact that 403 of them voted for nobody or their votes were missing?—A. By comparison of the returned envelopes with the testimony taken at the election commissioners' office in the Wagoner-Butler contest.

Q. You said, Mr. Owen, that you sent out these registered letters in 64 of the election precincts of the old Twelfth Congressional district of Missouri?—A. Yes, sir.

Q. How many of those 64 election precincts in the old district are now embraced in the present Twelfth Congressional district?—A. Fifty-seven.

Q. So that your registered-letter scheme as used in the Wagoner-Butler contest covers 57 of the precincts in the Reynolds-Butler contest?—A. Yes, sir.

Q. Have you made a calculation and thereby ascertained how many of these registered letters were sent in the 57 precincts referred to which are a part of the present Twelfth Congressional district?—A. Yes, sir.

Q. How many?—A. Twenty-three thousand one hundred and eighteen.

Q. Then state how many of the total number of letters mailed went into precincts that are not now part of the Twelfth Congressional district.—A. Two thousand and sixty one.

Q. So that your registered-letter scheme covered identical testimony in both contests, except in seven voting precincts and except in so far as the contest might be affected by 2,061 registered letters?—A. Yes, sir.

Q. When did you first begin sending out these registered letters?—A. In October, 1902.

Q. And to what parts of the Congressional district did you send those letters?—A. Some in the Sixth Ward, some in the Fourteenth Ward, some in the Fifteenth Ward. I believe that's right. I may have also sent some into the Fourth and Fifth wards.

Q. How many of these letters did you send out prior to the election of November 4, 1902?—A. I couldn't remember just how many I had sent; there were about 1,700 returned.

Q. Were any of those which were sent out before the election addressed to persons who were supposed to reside outside of the present Twelfth Congressional district?—A. No, sir.

Q. When did you send out the remainder of these registered letters?—A. They were put in the post-office December 16 and 17, 1902.

Q. Were each one of these letters stamped with a 10-cent postage stamp required for registered letters?—A. Yes, sir.

Q. Did each one of them have a return notice printed on the envelope?—A. Yes, sir.

Q. To whom and to what place did these return notices direct the return of these letters?—A. John Breshare, P. O. Box 150, St. Louis, Mo., that being my name, my middle initial standing for Breshare. In the lower left-hand corner of each envelope was a notation: "If not at this address return at once," the object of that being to avoid the necessity of having the postal authorities trace the man from house to house if he had moved, as is customary. The purpose of sending these letters was to ascertain whether these people lived at the address or not.

Q. And you addressed a letter of the kind described to every person whose name appeared on the printed official list of registered voters in the 64 precincts you have described and to the address in each case as shown on that list?—A. Yes, sir.

Q. Was each one of those letters posted by delivery to the post-office in the city of St. Louis?—A. Yes, sir.

Q. And those that were returned, as you have testified, were returned to you by the postal authorities of this city?—A. Yes, sir.

Q. Did any person outside of the officials in the post-office make any notations on these letters after they were deposited in the mails?—A. No, sir.

Q. And that is true of the entire number of letters that you testify to having mailed to the parties and that were returned?—A. Yes, sir.

Q. In the Wagoner-Butler contest did you make tabulations from the evidence, including these returned registered letters, showing for whom each one of them voted for Congress?—A. Yes, sir; if they voted at all.

Q. In what manner were those returned registered letters arranged for the purpose of being offered in evidence in the Wagoner-Butler case?—A. In exactly the same order as the names are arranged in the printed official registration lists, numerically according to streets.

Q. And also according to wards and precincts?—A. Yes, sir.

Q. Were those belonging to each precinct packed in a separate box and so marked, and each box designated as a separate exhibit in the Wagoner-Butler contest?—A. Yes, sir.

Q. Was the work of mailing all of these letters and receiving those that were returned, and the subsequent tabulation of the returned letters, all done under your personal supervision and control?—A. Yes, sir.

Q. Was it so far under your personal supervision and control as to enable you to testify to a moral certainty that your statements made in the Wagoner-Butler case and the statements made in this case are true?—A. Yes, sir.

Q. Was any attempt made to suppress any testimony unfavorable to Mr. Wagoner in so far as shown by these returned letters and the subsequent tabulation of them?—A. No, sir.

Q. What were your orders from the attorneys for Mr. Wagoner in respect to the manner or as to the effect upon the several candidates for Congress?—A. My orders were to tabulate the vote exactly as the record showed it to be regardless of who the vote was cast for, to be impartial and fair to all.

Q. And all of these registered letters which were returned, and about which you have testified, remained under your personal supervision and control up to the time they were offered in evidence at the Wagoner-Butler contest and turned over to the notary who took the testimony in that case?—A. Yes, sir.

Mr. KINSEY. We now offer in evidence in this case the exhibits offered in evidence in the contested election case of George C. R. Wagoner *v.* James J. Butler, from the Twelfth Congressional district of Missouri, for the short term, which exhibits are now in the possession of the Clerk of the House of Representatives as part of the record in the Wagoner-Butler contest, and which were marked in that case "Contestant's exhibits Nos. 1 $\frac{1}{2}$, 2 $\frac{1}{2}$, 3 $\frac{1}{2}$, 3 $\frac{3}{4}$, 4 $\frac{1}{2}$, 5 $\frac{1}{2}$, 5 $\frac{3}{4}$, 6 $\frac{1}{2}$, 7 $\frac{1}{2}$, 8 $\frac{1}{2}$, 9 $\frac{1}{2}$, 10 $\frac{1}{2}$, 11 $\frac{1}{2}$, 12 $\frac{1}{2}$, 13 $\frac{1}{2}$, 13 $\frac{3}{4}$, 14 $\frac{1}{2}$, 14 $\frac{3}{4}$, 15 $\frac{1}{2}$, 16 $\frac{1}{2}$, 16 $\frac{3}{4}$, 17 $\frac{1}{2}$, 18 $\frac{1}{2}$, 19 $\frac{1}{2}$, 20 $\frac{1}{2}$, 21 $\frac{1}{2}$, 21 $\frac{3}{4}$, 22 $\frac{1}{2}$, 23 $\frac{1}{2}$, 24 $\frac{1}{2}$, 25 $\frac{1}{2}$, 26 $\frac{1}{2}$, 27 $\frac{1}{2}$, 28 $\frac{1}{2}$, 29 $\frac{1}{2}$, 30 $\frac{1}{2}$, 31 $\frac{1}{2}$, 31 $\frac{3}{4}$, 32 $\frac{1}{2}$, 33 $\frac{1}{2}$, 34 $\frac{1}{2}$, 35 $\frac{1}{2}$, 35 $\frac{3}{4}$, 36 $\frac{1}{2}$, 37 $\frac{1}{2}$, 38 $\frac{1}{2}$, 39 $\frac{1}{2}$, 40 $\frac{1}{2}$, 41 $\frac{1}{2}$, 42 $\frac{1}{2}$, 43 $\frac{1}{2}$, 44 $\frac{1}{2}$, 45 $\frac{1}{2}$, 45 $\frac{3}{4}$, 46 $\frac{1}{2}$, 47 $\frac{1}{2}$, 48 $\frac{1}{2}$, 49 $\frac{1}{2}$, 50 $\frac{1}{2}$, 51 $\frac{1}{2}$, 52 $\frac{1}{2}$, 53 $\frac{1}{2}$, 54 $\frac{1}{2}$, 55 $\frac{1}{2}$, 56 $\frac{1}{2}$, 57 $\frac{1}{2}$, 58 $\frac{1}{2}$, 59 $\frac{1}{2}$, 59 $\frac{3}{4}$, 60 $\frac{1}{2}$, 61 $\frac{1}{2}$, 62 $\frac{1}{2}$, 63 $\frac{1}{2}$, 64 $\frac{1}{2}$."

Q. You have already stated that you have been assisting the contestant in this case in the taking of testimony and making abstracts and tabulations therefrom. Have you been put in possession of the testimony showing the recount of the ballots in this case and a copy of the poll books, for the purpose of tabulating the votes for the several candidates for Congress from the Twelfth Congressional district of Missouri for the long term?—A. Yes, sir.

Q. State in your own way and as explicitly as possible your manner of doing that work and what you have done.—A. I have taken it by ward and precinct and vote for vote, just as I did in the Wagoner-Butler case. Where there are any irregularities in the ballots it is set forth in columns used for that purpose in the abstract of the testimony.

Q. Has the work been done under your direct personal supervision and control?—A. Yes, sir.

Q. Have you been present yourself while it was being done?—A. Yes, sir.

Q. Have you prepared a plan whereby, under appropriate headings, you have given an analysis of the votes cast at the election held November 4, 1902, for the several candidates for the Fifty-eighth Congress from the Twelfth Congressional district of Missouri?—A. Yes, sir.

Q. Does that plan or system differ in any respect from the plan or system which you used in the Wagoner-Butler case?—A. No, sir.

Q. Or in the results shown?—A. No, sir.

Q. How many voting precincts in the present Twelfth Congressional district of Missouri are being contested by the contestant in this case?—A. Fifty-eight.

Q. Give the numbers of the precincts, by wards, which are challenged by the contestant in this case.—A. Fourth Ward, precincts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Fifth Ward, precincts 1, 2, 3, 4, 5, 6, 7, 9, and 10; Sixth Ward, precincts 1, 3, 8, and 12; Thirteenth Ward, precincts 5, 6, 7, and 12; Fourteenth Ward, precincts 1, 2, 3, 4, 5, 6, 7, 8, 10, and 11; Fifteenth Ward, precincts 1, 2, 6, 9, 10, and 11; Twenty-second

Ward, precincts 1, 3, 5, 7, 9, 11, 12, and 13; Twenty-third Ward, precincts 1, 2, 3, 4, 6, 7, 12, and 13.

Q. It is in these precincts that the contestant claims that the entire vote should be excluded upon the ground of fraud and irregularities practiced at and before the election held November 4, 1902?—A. Yes, sir.

Q. Now, have you made an abstract of the votes as shown by the testimony in this case, in each of the precincts above named?—A. Yes, sir.

Q. Does that abstract show the name of each voter and the address from which he was registered, the number of his ballot, and the person for whom he voted for Congress at the election held November 4, 1902, and any irregularities shown by the ballot counted?—A. Yes, sir; except where the ballot is missing.

Q. Do these abstracts show the number of rejected ballots according to the testimony, and for whom they were voted?—A. Yes, sir; all that are numbered.

Q. Have you examined the testimony taken in this case and counted the entire number of rejected ballots returned at the election of November 4, 1902, in the 58 precincts which are contested in this case?—A. I have; all that are numbered.

Q. How many of them were there?—A. Sixty-four for Butler, 23 for Reynolds, 18 for nobody, 6 for Rucker, 1 for Billsbarrow, 1 for Artz; making a total of 113.

Q. Do you know the number of rejected ballots in these 58 precincts which were not numbered at all?—A. Yes, sir; there were 61.

Q. In referring to "rejected ballots," in your testimony just given, you mean those ballots which, under the law of this State, are put by the judges and clerks of election into envelopes marked "Rejected ballots," and returned in that way to the board of election commissioners under seal, and which do not enter into the count?—A. Yes, sir.

Q. Have you prepared a recapitulation of the results of your examination as shown by the abstract made by you for each of the 58 precincts contested in this case?—A. Yes, sir.

Q. Is this capitulation which you have prepared made a part of each one of the abstracts by being indorsed or printed on the face of it?—A. Yes, sir; and is a part of the abstract.

Q. What is shown by the recapitulation prepared by you of the abstracts in the 58 precincts which are challenged?—A. They show by precincts and wards:

- (1) Number of names on official printed registration list.
- (2) Number of registered letters mailed.
- (3) Number of registered letters returned with definite indorsement that addressee could not be found (— of which are not in 1902 directory at address given).
- (4) Number of names appearing on the poll books.
- (5) Number of votes cast (on the poll books, not on the poll books, duplicates, triplicates, and ballots not numbered).
- (6) Number of ballots found in the ballot box.
- (7) Number of ballots missing (number of ballots found in the envelopes used for rejected ballots).
- (8) Number of ballots found in ballot box, no corresponding entry on the poll books.
- (9) Number of ballots having Butler's name on them (long term Congress).
- (10) Number of ballots having Reynolds's name on them (long term Congress).
- (11) Number of ballots having any other name on them (long term Congress).
- (12) Number of ballots having no name on them (long term Congress).
- (13) Number of ballots voted for Butler on names not on the official printed registration list.
- (14) Number of ballots voted for Reynolds on names not on the official printed registration list.
- (15) Number of ballots voted for all other candidates on names not on the official printed registration list.
- (16) Number of ballots voted on names not on the official printed registration list (which are missing ballots or voted for nobody).
- (17) Number of ballots having one of the election judges' initials.
- (18) Number of ballots having but one of the election judges' initials.
- (19) Number of ballots found in ballot box without a number.
- (20) Number of ballots found in ballot box, numbers being duplicates.
- (21) Number of ballots found in ballot box, numbers being triplicates.
- (22) Number of ballots found in ballot box where the corresponding entry on the poll books do not agree.
- (23) Number of ballots found in ballot box, no address of voter given on poll books.
- (24) Number of ballots found in ballot box numbered on face of ballot.
- (25) Number of ballots found in ballot box with more than one number.

(26) Number of ballots found in ballot box mutilated.

Q. Have you carried out on each of these recapitulations and opposite the subdivisions which you have mentioned the number corresponding with that shown by the abstract to which it belongs?—A. Yes, sir; and in addition to the foregoing these recapitulations contain the official count of the judges and clerks, which is set immediately to the right of the entry: Number of ballots having Butler's name on them (long term Congress).

Q. Will you now produce the abstracts which have been prepared by you in the 58 contested precincts, with the corresponding recapitulations?—A. Yes, sir.

Q. Will you permit these abstracts and recapitulations to go into your testimony as a part thereof in this case?—A. Yes.

Mr. KINSEY. We now offer in evidence as a part of the testimony of the witness the abstracts and recapitulations which have been prepared by him from the testimony in this case, and which he now hands to the notary and which relate to the 58 precincts, the numbers of which by wards are given above, and ask that the notary mark them consecutively "Contestant's Exhibits No. 4 to 61, inclusive, of April 10, 1903."

Q. In working out your registered-letter scheme to uncover fraudulent registration for the purposes of the Wagoner-Butler contest did you check as against the Gould St. Louis Directory for the year 1902 the names of the voters that appeared upon the official printed registration lists of October, 1902, in the 58 precincts contested in this case?—A. We did check it against 57 of the 58 precincts.

Q. Which one of the 58 precincts in question did you omit in checking against the directory?—A. In the second precinct of the Fifteenth Ward, for the reason that it was not in the old Twelfth Congressional district.

Q. Have you still in your possession the memoranda used in checking against the directory of 1902, used in the Wagoner-Butler contest, as described?—A. Yes, sir.

Q. Have you transferred the result of the checking in the Wagoner-Butler case to this case?—A. Yes, sir.

Q. From your analysis of the vote cast for the several candidates for Congress in this district, will you state specific instances of fraud or irregularities which are shown by the evidence, and which are referred to in general terms in the abstracts and recapitulations offered in evidence?—A. In Ward 4, precinct 1:

John Grant, 324 North Third street, voted ballot No. 35.

Walter Grant, 324 North Third street, voted ballot No. 51.

Neither are on the official printed registration lists; both voted for Butler.

Wm. Ross, 620 North Broadway, voted ballot No. 42.

Wm. Ross, 620 North Broadway, voted ballot No. 60.

Both voted for Butler; ballot No. 42 voted twice for him.

Thos. James, 620 North Broadway, voted ballot No. 65.

Jas. Thomas, 620 North Broadway, voted ballot No. 48.

Neither are on the official printed registration list; No. 65 was voted for Butler; No. 48 not in ballot box.

In Ward 4, precinct 2:

Jas. Bell, 601 Franklin avenue, voted ballot No. 102.

Jas. Bell, 601 Franklin avenue, voted ballot No. 144.

Not on official printed registration list; No. 102 voted for Butler; No. 144 not in ballot box.

Frank Gillen, 1017 North Second street, voted ballot No. 115.

Frank Gillum, 1017 North Second street, voted ballot No. 143.

Both voted for Butler.

Thos. Keegan, 1035 North Second street, voted ballot No. 136.

Thos. Kegan, 1035 North Second street, voted ballot No. 378.

Both voted for Butler; No. 136 voted for him twice.

John Collins, 923 Collins street, voted ballot No. 443.

John Collins, 923 Collins street, voted ballot No. 466.

Not on official printed registration list; both voted for Butler.

Jas. Morris, 417 Morgan street, voted ballot No. 363.

Jas. Morris, 417 Morgan street, voted ballot No. 486.

Not on official printed registration list; both voted for Butler.

Mike Quinlivan, 417 Morgan street, voted ballot No. 15.

Mike Quinlman, 417 Morgan street, voted ballot No. 17.

Neither on printed official registration list; both voted for Butler; No. 17 voted for him twice.

Pat. Wright, 923 Collins street, voted ballots No. 41 and No. 201.

Both voted for Butler.

Ward 4, precinct 3:

C. W. Baker, 112 North Sixth street, voted ballot No. 19.

C. W. Baker, 625 Chestnut street, voted ballot No. 142.

Ballot No. 19 voted for Reynolds; No. 142 voted for Butler.

Charles Kerger, 623 Chestnut street, voted ballot No. 2.

C. H. Kerger, 623 Chestnut street, voted ballot No. 147.

Ballot No. 2 voted for Reynolds; No. 147 voted for Butler.

R. W. Pavey, Imperial Hotel, voted ballot No. 27.

R. Peary or Pavey, Imperial Hotel, voted ballot No. 253.

Ballot No. 27 voted for Reynolds; ballot No. 253 not found in ballot box.

Jas. Banks, 611 Morgan street, voted ballots No. 7 and No. 136.

Not on official printed registration list; No. 7 voted for Butler; No. 136 not in ballot box.

John Clark, 823 North Sixth street, voted ballots Nos. 148 and 167, both for Butler.

John Eramara, 713 Morgan street, voted ballot No. 102.

John Ermana, 713 Morgan street, voted ballot No. 198.

Ballot No. 102 voted for Butler; No. 198 voted once for Butler, once for Reynolds.

Thos. Haley, 823 North Sixth street, voted ballot No. 71.

Thos. Healy, 823 North Sixth street, voted ballot No. 111.

Thos. Healy, 823 North Sixth street, voted ballot No. 123.

Thos. Haley, 823 North Sixth street, voted ballot No. 156.

All voted for Butler.

John Kane, 715 Franklin avenue, voted ballots Nos. 42 and 166. Both for Butler.

Jno. Miles, 609 Morgan street, voted ballots Nos. 9 and 172. Both for Butler, and No. 172 voted twice for him.

Ward 4, precinct 5:

Thomas Collins, 817 North Ninth street, or 717 North High street, voted ballot No. 148.

Tom Collins, 1205 Linden street, voted ballot No. 287.

Both voted for Butler.

James Carroll, 708 North High street, voted ballot No. 334.

James Carroll, 708 North High street, voted ballot No. 335.

Ballot No. 334 voted for Butler; No. 335 not found in ballot box.

James Dunn, 803 North Tenth street, or North Twelfth street, voted ballot No. 83.

James Dunn, 918 Franklin avenue, voted ballot No. 154.

Ballot No. 83 voted for Butler; No. 154 voted for Reynolds.

Ward 4, precinct 6:

John Rall, 906 Morgan street, voted ballots Nos. 8 and 109. Both for Butler.

Ward 4, precinct 7:

H. G. Franks, 102 North Thirteenth street, or 1019 Pine street, voted ballot No. 212.

Henry Franks, 1017½ Pine street, or 102 North Thirteenth Street, voted ballot No. 213.

Henry Frank, 102 North Thirteenth street, voted ballot No. 246.

Not on official printed registration list. All voted for Butler.

Jas. Smith, 1216 Pine street, voted ballot No. 206.

Jas. Smith, 1220 Pine street, voted ballot No. 278.

Not on official printed registration list. No. 206 voted for Butler; No. 278 not in ballot box.

Jno. T. Ryan, 1215 Pine street, voted ballot No. 182.

John Ryan, 312 North Twelfth street, voted ballot No. 293.

Not on printed official registration list. Both voted for Butler.

Ward 4, precinct 9:

Charles Milan, 1714 Morgan street, voted ballots Nos. 175 and 183.

Ballot No. 175 voted for Butler; No. 183 voted for Butler three times. It will be observed that the people voting in this precinct voted in alphabetical order, beginning with the letter "A," as shown by the poll books.

Ward 5, precinct 1:

Jas. O'Rourke, 225 South Main street, voted ballot No. 113.

Jas. P. O'Rourke, 212 South Second street, voted ballot No. 146.

Both voted for Butler.

Ward 5, precinct 2:

John Smith, 311 Plum street, voted ballot No. 169.

John Smith, 319 Plum street, voted ballot No. 223.

Jno. Smith, 317 Plum street, voted ballot No. 231.

All voted for Butler.

Ward 5, precinct 3:

John Cahill, 311 Elm street, voted ballot No. 169.

J. C. Cahill, 311 Elm street, voted ballot No. 203.

Not on official printed registration list; both voted for Butler.

John Lane, 624 South Broadway, voted ballots 111 and 199. Both voted for Butler.

Ward 5, precinct 4:

John Riley, Standard Theater, voted ballot No. 117.

John Riley, 700 Market street, voted ballot No. 241.

Not on printed registration list. Ballot No. 117 voted for Butler once and once for Reynolds; ballot 241 voted for Reynolds.

James Smith, 105 South Seventh street, voted ballot No. 183.

James Smith, 119 South Seventh street, voted ballot No. 266.

Both voted for Butler.

Harry Williams, Gould's Hotel, voted ballot No. 179.

Harry Williams, 221 South Broadway, voted ballot No. 235.

Not on official printed registration list. Ballot No. 179 voted once for Reynolds and once for Butler. Ballot No. 235 voted once for Reynolds and once for Butler.

Wm. P. Ferguson, 221 South Broadway, voted ballots Nos. 180 and 361. Both voted for Butler.

John Hiser, 119 South Seventh street, voted ballot No. 347.

Jno. Heiser, 119 South Seventh street, voted ballot No. 475.

Both voted for Butler.

James Holland, 109 South Seventh street, voted ballot No. 444.

Jas. Holland, 109 South Seventh street, voted ballot No. 484.

Both votes for Butler.

Jno. Hill, 113 South Sixth street, voted ballots Nos. 37 and 492.

Ballot No. 37 voted twice for Butler; ballot No. 492 not found in ballot box.

John Rogers, 606 Market street, voted ballots Nos. 514 and 516. Both votes for Butler.

Ward 5, precinct 5:

W. Weitzel, 401 South Broadway, voted ballot No. 77.

Wm. Weitzel, 401 South Broadway, voted ballot No. 203.

Both votes for Butler.

James Joy, 511 Spruce street, voted ballot No. 124.

James Joy, 627 South Broadway, voted ballot No. 111.

Both votes for Butler.

John Thomas, 507 Spruce street, voted ballot No. 124.

John Thomas, 512 Spruce street, voted ballot 153.

Both votes for Butler.

Ward 5, precinct 6:

Edw. Brown, 814 Market street, voted ballot No. 165.

Ed. Brown, 802 Market street, voted ballot No. 170.

Ballot No. 165 voted for Butler; No. 170 voted for nobody.

Jos. Henry, 27 South Eighth street, voted ballot No. 191.

A. J. Henry, 27 South Eighth street, voted ballot No. 215.

Both votes for Butler.

Ward 5, precinct 7:

Jas. Duffy, 1123½ Chestnut street, voted ballot No. 214.

Jas. Duffy, 116 North Ninth street, voted ballot No. 224.

Ballot 214 voted for Butler; ballot No. 224 voted for Reynolds.

Wm. Hogan, 1010 Chestnut street, voted ballot No. 31.

Wm. Hogan, 811 Market street, voted ballot No. 165.

Both votes for Butler.

Ward 5, precinct 10:

John Kennedy, 403 South Fifteenth street, voted ballot No. 16.

John J. Kennedy, 405 South Fifteenth street, voted ballot No. 71.

Both votes for Butler.

Geo. Kreps, 329 South Fourteenth street, voted ballot No. 92.

—— Kreps, 329 South Fourteenth street, voted ballot No. 30.

Both votes for Butler.

Ward 6, precinct 3:

J. P. Clark, 834 South Sixth street, voted ballots Nos. 112 and 156. Ballot No. 112 voted for Butler; No. 156 voted for Reynolds.

C. Peterson, 812 South Sixth street, voted ballots Nos. 63 and 95. Both votes for Butler.

Emil Freymark, 905 South Seventh street, voted ballot No. 108.

E. Freymark, 905 South Seventh street, voted ballot No. 152.

Ballot No. 108 voted for Butler; ballot No. 152 voted for Reynolds.

Angel Rasso, 700 South Sixth street, voted ballot No. 99.

A. Rasso, 700 South Sixth street, voted ballot No. 70.

Both votes for Butler.

C. Spangler, 810 South Seventh street, voted ballot No. 73.

Chas. Spangler, 820 South Seventh street, voted ballot No. 121.

Not on official printed registration list. Both votes for Butler.

Cicero Boquette, 832 South Seventh street, voted ballot No. 113.

C. Paquette, 832 South Seventh street, voted ballot No. 157.

Both votes for Butler.

Ward 6, precinct 8:

Henry Anderson, 918 Gratiot street, voted ballots 131 and 152.

Ballot No. 131 voted for Rucker; No. 152 voted for Butler.

Joseph Baseel, 812 South Tenth street, voted ballot No. 46.

Job. Baseel, 812 South Tenth street, voted ballot No. 59.

Ballot No. 46 voted for Butler; ballot No. 59 not found in ballot box.

B. Kneisell, 1327 Chouteau avenue, voted ballots No. 137 and No. 141. Not on official printed registration list. Ballot No. 137 voted for Butler; No. 141 not found in ballot box.

J. O'Grady, 1410 Papin street, voted ballot No. 97.

Jas. O'Grady, 1410 Papin street, voted ballot No. 351.

Ballot No. 97 voted for Butler; ballot No. 351 voted for Reynolds.

Salez Najih, 812 South Tenth street, voted ballot No. 51.

Saleh Najih, 812 South Tenth street, voted ballot No. 85.

Both votes for Butler.

Jno. Meehan, 802 South Tenth street, voted ballots Nos. 303 and 321. Ballot No. 321 voted for Butler; ballot No. 303 not found in ballot box.

C. K. Ganter, 911 South Tenth street, voted ballots Nos. 136 and 140. Both votes for Butler.

Michael Muldoon, 1400 Papin street, voted ballot No. 11.

Machael Muldoon, 909 South Tenth street, voted ballot No. 291.

Both votes for Butler.

It will be observed by reference to the poll books in this precinct that the voters appeared at the polls in groups from certain houses and voted in consecutive order. Reference is particularly made to 812 South Tenth street, 912 Gratiot street, 914 Gratiot street, 802 South Tenth street, 1000 Papin street, 1009 Chouteau avenue, 1329 Chouteau avenue, 1441 Chouteau avenue, 1018 Papin street, 914 South Fourteenth street, 926 South Fourteenth street, 924 South Fourteenth street, 1400 Papin street, 1113 Chouteau avenue, 1026 Papin street, 1421 Chouteau avenue, 1451 Chouteau avenue, 1211 Chouteau avenue, 1215 Chouteau avenue, 1403 Chouteau avenue.

Ward 6, precinct 12:

John P. Stevens, 1429 Papin street, voted ballots Nos. 79 and 127. Not on printed registration list; both votes for Butler.

Ward 13, precinct 5:

Lawrence Kennedy, 2321 Chouteau avenue, voted ballot No. 49.

Lawrence J. Kennedy, 917 South Twenty-second street, voted ballot No. 171.

Both votes for Butler.

Ward 14, precinct 1:

J. Clark, 1416 Pine street, voted ballot No. 7.

J. Clark, 1404 Pine street, voted ballot No. 68.

Ballot No. 7 not found in ballot box; ballot 68 voted for Butler.

H. Johnson, 1501 Chestnut street, voted ballot No. 58.

Harry Johnson, 1407 Chestnut street, voted ballot No. 175.

Both votes for Butler.

Wm. Moore, 1615 Chestnut street, voted ballot No. 2.

Wm. Moore, 1504 Chestnut street, voted ballot No. 24.

Both votes for Butler.

J. White, 1508 Pine street, voted ballot No. 52.

John White, 1518 Pine street, voted ballot No. 64.

Both votes for Butler.

John A. Smith, 1400 Chestnut street, voted ballot No. 224.

J. A. Smith, 1511 Chestnut street, voted ballot No. 140.

Ballot No. 140 voted for Butler; ballot No. 224 voted for Butler twice.

Ward 14, precinct 2:

W. W. Jones, 125 South Fourteenth street, voted ballots Nos. 156 and 211. Ballot No. 156 not found in ballot box; ballot No. 211 voted for Butler.

Ward 14, precinct 4:

Edw. Dowd, 2031 Eugenia street, voted ballots Nos. 146 and 147. Not on official printed registration list; ballot 146 not found in ballot box; ballot No. 147 voted for Butler.

Ward 14, precinct 5:

John O'Connell, 307 South Twenty-first street, voted ballot No. 94.

John O'Connell, 2103 Eugenia street, voted ballot No. 245.

Both votes for Butler.

D. W. Ryan, 2122 Eugenia street, voted ballots Nos. 61 and 228. Ballot No. 61 voted for Butler; ballot No. 228 voted for nobody.

Tom D. Young, 218 South Twenty-second street, voted ballots Nos. 125 and 157. Both votes for Butler.

Ward 14, precinct 6:

Chas. Williams, 2231 Clark avenue, voted ballot No. 64.

C. Williams, 2231 Clark avenue, voted ballot No. 230.

Ballot 64 voted for Butler; ballot No. 230 not found in ballot box.

Louis Schneblin, 2239 Randolph street, voted 2 ballots, No. 77. One vote for Reynolds and one vote for Butler.

Julius Wendel, 320 South Twenty-second street, voted ballot No. 39.

J. Wendel, 320 South Twenty-third street, voted ballot No. 39.

One vote for Reynolds and one vote for Butler.

Leon Sims, 2229 Clark avenue, voted ballot No. 66.

L. Sims, 2229 Clark avenue, voted ballot No. 233.

Both votes for Butler.

L. L. Fox, 404 South Twenty-third street, voted ballots Nos. 160 and 190. Ballot No. 160 voted twice for Butler; No. 190 voted for Butler.

W. Birmingham, 203 South Twenty-second street, voted ballots Nos. 108 and 157. Both votes for Butler.

R. E. Bellecour, 318 South Twenty-second street, voted 2 ballots, No. 58. Not on the official printed registration list; one vote for Butler and one for Reynolds.

T. Fanning, 211 South Twenty-second street, voted ballots Nos. 82 and 191. Both votes for Butler.

Jno. L. Homan, 2231 Adams street, voted ballot No. 1.

J. L. Holman, 2231 Adams street, voted ballot No. 162.

Ballot No. 1 voted for Reynolds; No. 162 voted for Butler.

F. Holthause, 2240 Adams street, voted ballots Nos. 54 and 244. Ballot No. 54 voted for Reynolds; No. 244 for Butler.

John O'Neil, 2220 Adams street, voted ballots Nos. 34 and 55. Both votes for Butler.

R. H. Gratt, 2206 Adams street, voted ballot No. 30.

R. H. Grate, 2206 Adams street, voted ballot No. 141.

Not on official printed registration list. Ballot No. 30 voted for Reynolds; No. 141 voted for Butler.

Wm. Wagoner, 2223 Adams street, voted ballot No. 123.

W. Wagoner, 2223 Adams street, voted ballot No. 142.

Ballot No. 123 voted once for Butler and once for Wagoner. Ballot No. 142 voted for Butler.

W. D. Rogers, 2219 Adams street, voted ballots Nos. 135 and 177. Both votes for Butler.

Herman Hake, 2210 Adams street, voted ballot No. 6.

H. Hake, 2210 Adams street, voted ballot No. 203.

Both votes for Butler.

J. Harrigan, 203 South Twenty-second street, voted ballots Nos. 168 and 206. Both votes for Butler.

I. J. White, 2238 Randolph street, voted ballots Nos. 138 and 212. Both votes for Butler.

Ward 14, precinct 8:

J. Jones, 2229 Chestnut street, voted ballot No. 274.

J. Jones, 2225 Market street, voted ballot No. 280.

Both votes for Butler.

H. or W. King, 2323 Eugenia street, voted ballot No. 53.

H. King, 2321 Eugenia street, voted ballot No. 495.

Ballot No. 53 voted for Butler; No. 495 not found in the ballot box.

J. Thompson, 2200 Chestnut street, voted ballot No. 250.

J. Thompson, 2229 Chestnut street, voted ballot No. 474.

Ballot No. 250 voted for Butler. Ballot No. 474 voted once for Reynolds and twice for Butler.

E. Lee, 2222 Market street, voted ballot No. 227.

Ed. Lee, 2215 Market street, voted ballot No. 319.

Ballot No. 227 voted for Butler. No. 319 not found in ballot box.

J. Taylor, 109 North Twenty-third street, voted ballot No. 408.

Jno. Taylor, 109 North Twenty-third street, voted ballot No. 409.
 Not on printed registration list; both votes for Butler.

J. Thomas, 2229 Chestnut street, voted ballot No. 249.

Jno. Thomas, 2209 Chestnut street, voted ballot No. 413.
 Ballot No. 249 voted for Butler. No. 413 not found in ballot box.

R. Thomas, 7 South Twenty-third street, voted ballot No. 252.

Robt. Thomas, 7 South Twenty-third street, voted ballot No. 455.
 Ballot 252 voted for Butler. No. 455 not found in ballot box.

J. A. Carroll, 2311 Eugenia street, voted ballots Nos. 1 and 50. Ballot No. 1 voted for Butler. No. 50 voted for Butler twice.

W. T. Ross, 3 South Twenty-second street, voted ballots Nos. 6 and 115. Ballot No. 6 voted for Reynolds. No. 115 voted for Butler.

John Hill, 109 South Twenty-third street, voted ballots Nos. 64 and 303. Ballot No. 64 not found in ballot box. No. 303 voted for Butler.

W. Cain, 2303 Chestnut street, voted ballot No. 315.

W. Cain, 2209 Market street, voted ballot No. 312.
 Ballot No. 312 voted for Butler. No. 315 not found in ballot box.

J. Sharp, 2300 Chestnut street, voted ballots Nos. 52 and 372. Ballot No. 52 not found in ballot box. No. 372 voted for Butler.

Wm. Jones, 2209 Market street, voted ballot No. 288.

Wm. Jones, 2209 Market street, voted ballot No. 524.

Wm. Jones, 2219 Market street, voted ballot No. 492.
 Ballots Nos. 288 and 524 voted for Butler. No. 492 not found in ballot box.

M. J. Grady, 2347 Eugenia street, voted ballot 402.

M. J. Grady, 2247 Eugenia street, voted ballot No. 465.
 Not on official printed registration list. Ballot 402 voted for Butler. No. 465 voted for Reynolds.

Jas. Griffin, 2217 Walnut street, voted ballots Nos. 26 and 15. Both votes for Butler.

C. O. Kappel, 2361 Market street, voted ballot No. 33.

Chas. Kappel, 2361 Market street, voted ballot No. 154.
 Both votes for Butler.

Edw. Lewis, 2223 or 2322 Chestnut street, voted ballot No. 82.

Ed. Lewis, 109 North Twenty-third street, voted ballot No. 85.

Ed. Lewis, 2223 Market street, voted ballot No. 200.

Ed. Lewis, 2314 Chestnut street, voted ballot 498.
 Ballots Nos. 82 and 200 voted for Butler; Nos. 85 and 498 not found in the ballot box.

E. Link, 105 North Twenty-third street, voted ballots Nos. 25 and 226. Not on the official printed registration list. Ballot No. 25 not found in ballot box; No. 226 voted for Butler.

Jack Smith, 2329 Market street, voted ballot No. 77.

Jno. Smith, 2229 Market street, voted ballot No. 73.
 Not found on official printed registration list. Ballot No. 73 not found in ballot box; No. 77 voted twice for Butler.

R. J. Reynolds, 2303 Chestnut street, voted ballot No. 427.

R. C. Reynolds, 2335 Pine street, voted ballot No. 430.
 Not on official printed registration list. Ballot No. 427 voted twice for Butler; No. 430 voted once for Butler.

C. Redd, 2207 Walnut street, voted ballots Nos. 298 and 506. Ballot 506 voted for Butler; No. 298 voted twice for Butler.

C. F. Stark, 2306 Chestnut street, voted ballot No. 358.

C. J. Starks, 2219 Market street, voted ballot No. 361.
 Not on official printed registration list. Both voted for Butler.

C. Gross, 109 North Twenty-third street, voted ballots 404 and 405. Not on official printed registration list. Both votes for Butler.

J. Harris, 2314 Chestnut street, voted ballot No. 232.

J. Harris, 2225 Market street, voted ballot No. 233.
 Both votes for Butler.

Benson Cobb, 2217 Chestnut street, voted ballot No. 215.

B. Cobb, 2217 Market street, voted ballot No. 399.
 Ballot No. 215 voted for Butler; No. 399 not found in ballot box.

Ward 14, precinct 10:

M. Brandon, 207 South Leffingwell avenue, voted ballot No. 81.

M. P. Brandon, 207 South Leffingwell, voted ballot No. 157.
 Not on official printed registration list. Ballot No. 81 voted once for Reynolds, once for Butler; Ballot 157 voted for Butler.

Geo. Miller, 2722 Walnut street, voted ballots Nos. 26, 241, 356, and 33. Ballot No. 26 voted for Reynolds, ballot No. 33 voted twice for Butler, ballot No. 241 voted three times for Butler, ballot No. 356 not found in the ballot box.

Jno. Simon, 2732 Walnut street, voted ballot No. 65.
 Jno. Simon, 2732 Walnut street, voted ballot No. 169.
 Jno. Simon, 2705 Laclede avenue, voted ballot No. 112.
 Ballots Nos. 65 and 112 not found in ballot box. Ballot No. 169 voted for Butler.
 Geo. A. Rash, 2704 Walnut street, voted ballot No. 173.
 Geo. Resch, 2704 Walnut street, voted ballot No. 224.
 Ballot No. 173 voted for Butler; ballot No. 224 voted for Butler three times.
 C. Epps, 2819 Walnut street, voted ballots Nos. 205 and 279. Ballot No. 205 not found in ballot box; No. 279 voted for Butler.
 Jno. Warder, 2750 Walnut street, voted ballot No. 36.
 J. G. Warder, 2750 Walnut street, voted ballot No. 294.
 Ballot No. 36 voted for Butler; No. 294 voted for Butler twice.
 Frank Young, 2822 Walnut street, voted ballot No. 100.
 F. Young, 2822 Walnut street, voted ballot No. 336.
 Both votes for Butler.
 Thos. Naunin, 2712 Walnut street, voted ballot No. 225.
 T. R. Laurin, 2712 Walnut street, voted ballot No. 368.
 Ballot 225 voted for Butler; ballot No. 268 not found in the ballot box.
 E. Stevens, 2721 Walnut street, voted ballot No. 124.
 E. J. Stephens, 2721 Walnut street, voted ballot No. 404.
 Ballot No. 124 voted for Butler three times; ballot No. 404 voted for Reynolds.
 J. D. Degan, 2835 Walnut street, voted ballot No. 143.
 J. P. Degan, 2835 Walnut street, voted ballot No. 414.
 Ballot No. 143 voted for Reynolds; ballot No. 414 voted for Butler twice and Reynolds once.
 W. E. Flannigan, 2708 Walnut street, voted ballots Nos. 396 and 455. Ballot No. 396 not found in the ballot box; ballot No. 455 voted for Butler.
 Abe Ferst or Fust, 2742 Walnut street, voted ballot No. 268.
 A. First, 2742 Walnut street, voted ballot No. 456.
 Both votes for Butler.
 F. E. Noble, 2731 Eugenia street, voted ballots Nos. 20 and 64. Ballot 20 voted for Butler and nobody; ballot No. 64 voted for Reynolds.
 L. W. Beal, 2705 Eugenia street, voted ballot No. 161.
 Louis Beals, 2705 Eugenia street, voted ballot No. 215.
 Ballot 161 voted for Reynolds; ballot No. 215 voted for Butler.
 Dan McKay, 2707 Eugenia street, voted ballots No. 191 and 226. Neither ballot found in ballot box.
 Hy. Mans, 2745 Eugenia street, voted ballot No. 74.
 H. Manns, 2745 Eugenia street, voted ballot No. 251.
 Both votes for Butler.
 John M. Braden, 2723 Eugenia street, voted ballots Nos. 15 and 287. Ballot 15 voted for Reynolds; ballot 287 not found in ballot box.
 John Brooks, 2705 Eugenia street, voted ballot No. 101.
 J. Brooks, 2705 Eugenia street, voted ballot No. 343.
 Ballot 101 voted for Butler; ballot No. 343 not found in ballot box.
 P. Hanelock, 2718 Laclede avenue, voted ballot No. 162.
 P. Hemlock, 2718 Laclede avenue, voted ballot No. 262.
 Both votes for Butler.
 Phil. Jærder, 2704 Laclede avenue, voted ballot No. 255.
 P. Jærder, 2704 Laclede avenue, voted ballot No. 329.
 Both votes for Butler.
 P. Brink, 2710 Laclede avenue, voted ballot No. 118.
 P. A. Brink, 2710 Laclede avenue, voted ballot No. 379.
 Ballot 118 voted for Butler; ballot No. 379 not found in ballot box.
 Wm. Jones, 2813 Manchester avenue, voted ballot No. 102.
 W. James, 2813 Manchester avenue, voted ballot No. 459.
 Ballot No. 102 voted for Butler; ballot No. 459 not found in ballot box.
 O. D. Walker, 2818 Manchester avenue, voted ballots Nos. 164 and 298. Both votes for Butler.
 J. F. Ostorll, 2828 Manchester avenue, voted ballot No. 167.
 J. Osterlle, 2828 Manchester avenue, voted ballot No. 297.
 Ballot No. 167 voted for Butler; ballot No. 297 not found in ballot box.
 L. Hill, 2813 Clark avenue, voted ballots Nos. 183 and 442. Ballot No. 183 not found in the ballot box; No. 442 voted for Butler.
 J. A. Maher, 2839 Clark avenue, voted ballot No. 138.
 James Maher, 2839 Clark avenue, voted ballot No. 445.
 Ballot No. 138 voted for Reynolds; ballot No. 445 not found in ballot box.

Ward 14, precinct 11:

Dan Clifford, 2616 Adams street, voted ballots Nos. 128 and 129. Both votes for Butler.

R. Dreyon, 2810 Clark avenue, voted ballot No. 124.

Richard Dreyon, 2810 Clark avenue, voted ballot No. 125.

Not on official printed registration list. Ballot No. 124 not found in ballot box; ballot No. 125 voted for Butler.

R. Smith, 2804 Adams street, voted ballot No. 117.

Richard Smith, 2804 Adams street, voted ballot No. 127.

Richard Smith, 2804 Adams street, voted ballot No. 128.

Voted for Butler three times.

Ward 15, precinct 2:

Robert Carroll, 1205 Wash street, voted ballot No. 45.

Robert Carroll, 1009 North Twelfth street, voted ballot No. 73.

Both votes for Butler.

Wm. Bailey, 1318 Morgan street, voted ballot No. 30.

Wm. Bailey, 1408 Morgan street, voted ballot No. 100.

Ballot No. 30 not found in ballot box; ballot No. 100 voted for Butler.

Wm. Ferguson, 708 North Sixteenth street, voted ballots Nos. 56 and 96. Ballot No. 56 voted for Reynolds. Ballot No. 96 voted for Butler.

Henry Thomas, 1323 Linden street, voted ballot No. 3.

Henry Thomas, 1331 Linden street, voted ballot No. 42.

Neither ballot found in ballot box.

Henry Williams, 718 North Sixteenth street, voted ballots Nos. 18 and 41. Ballot No. 18 not found in ballot box. Ballot No. 41 voted for Butler.

Ward 15, precinct 9:

John Helman, 2019 Franklin avenue, voted ballots Nos. 137 and 195. Ballot No. 137 voted for Reynolds. No. 195 voted for Butler.

Ed. Ryan, 2013 Franklin avenue, voted ballots 194 and 206. Both votes for Butler.

Andrew Sherman, 2010 Carr street, voted ballot No. 113.

A. Sherman, 2010 Carr street, voted ballot No. 197.

Ballot No. 113 voted for Reynolds. No. 197 voted for Butler.

John P. Walsh, 2115 Wash street, voted ballots Nos. 139 and 181. Both votes for Butler.

Ward 22, precinct 1:

A. Cudmore, 2325 Pine street, voted ballot 48.

Alex Cudmore, 2325 Pine street, voted ballot No. 311.

Not on official printed registration list. Both votes for Butler.

Geo. Edgar, 2336 Washington avenue, voted ballots Nos. 225 and 249. Not on printed official registration list. Ballot No. 225 not found in ballot box. Ballot 249 voted for Butler.

Thos. B. Perkins, 2239 St. Charles street, voted ballot No. 68.

Thos. B. Perkins, 2339 St. Charles street, voted ballot No. 264.

Not on printed official registration list. Ballot 68 voted for Reynolds. No. 264 not found in ballot box.

Peter Walsh, 2028 Locust street, voted ballot No. 16.

Peter Walsh, 2228 Locust street, voted ballot No. 67.

Not on official printed registration list. Both votes for Butler.

Thos. E. Collins, 2241 St. Charles street, voted ballot No. 4.

Thos. P. Collins, 2241 St. Charles street, voted ballot No. 408.

Both votes for Butler.

James A. Hearn, 2304 Washington avenue, voted ballot No. 208.

Jas. A. Hearn, 2304 Washington avenue, voted ballot No. 291.

Ballot No. 208 not found in ballot box. No. 291 voted for Butler.

Ward 22, precinct 3:

Chas. Hellman, 2306 Wash street, voted ballot No. 129.

Chas. Hellman, 2304 Wash street, voted ballot No. 152.

Ballot No. 129 not found in ballot box. Ballot No. 152 voted for Butler.

Ward 22, precinct 5:

J. W. Connors, Hotel Garni, voted ballots Nos. 304 and 315. Ballot No. 304 voted for Butler. No. 315 voted for nobody.

J. Farrell, 2617 Olive street, voted ballot No. 197.

J. Farrell, 2601 Olive street, voted ballot No. 230.

Both votes for Butler.

Wm. Jones, 2607 Olive street, voted ballot No. 229.

W. Jones, 2605 Olive street, voted ballot No. 266.

Both votes for Butler.

Jno. Kline, 2635 Olive street, voted ballots Nos. 30 and 90. Ballot 30 voted for Butler twice. Ballot No. 90 voted for Butler.

Wm. Melville, 2644 Olive street, voted ballots 25 and 100. Both votes for Butler.

C. Reed, Hotel Garni, voted ballots Nos. 6 and 83. Both votes for Butler.

John A. Porter, 2608 Locust street, voted ballot No. 76.

J. A. Porter, 2608 Locust street, voted ballot No. 136.

Ballot No. 76 voted for Butler. Ballot No. 136 voted for Reynolds.

J. W. Grant, 2629 Pine street, voted ballots Nos. 129 and 150. Ballot No. 129 not found in ballot box. Ballot No. 150 voted for Butler.

E. H. Nelson, 2627 Olive street, votes ballots Nos. 74 and 260. Both votes for Butler.

Joe Dormitzer, 2608 Locust street, voted ballot No. 130.

J. Dormitzer, 2608 Locust street, voted ballot No. 278.

Ballot No. 130 voted for Reynolds. Ballot No. 278 voted for Butler.

F. W. Keith, 2608 Locust street, voted ballot No. 91.

Wm. F. Keith, 2608 Locust street, voted ballot No. 310.

Ballot No. 91 voted for Reynolds. Ballot No. 310 voted for Butler.

G. A. Pennington, 2608 Locust, voted ballot No. 86.

Geo. A. Pennington, 2608 Locust street, voted ballot No. 332.

Ballot No. 86 is voted for Butler. Ballot No. 332 not found in ballot box.

R. H. Smith, 2616 Olive street, voted ballots Nos. 155 and 396. Ballot 155 voted for Reynolds. No. 396 voted for Butler.

J. C. Devoto, 2600 Olive street, voted ballot No. 126.

J. O. Devoto, 2600 Olive street, voted ballot No. 352.

Ballot No. 126 voted for Reynolds. Ballot No. 352 voted for Butler.

Ward 22, precinct 9:

L. M. Jones, 3316 Lucas avenue, voted ballot No. 42.

Louis Jones, 3316 Lucas avenue, voted ballot No. 234.

Ballot No. 42 missing. Ballot No. 234 voted for Butler.

Thos. Hassett, 3335 Olive street, voted ballot No. 244.

Thos. Hassett, 3335 Olive street, voted ballot No. 279.

Tom Hassett, 310 North Channing avenue, voted ballot 71.

Ballots Nos. 224 and 279 voted for Butler, No. 71 voted for Reynolds.

R. E. McLaughlin, 3124 Locust street, voted ballot No. 124.

R. E. McLaughlin, 3324 Locust street, voted ballot No. 261.

Ballot No. 124 not in ballot box. ballot No. 261 voted for Butler.

Ward 22, precinct 11:

R. H. Whitelaw, 3234 Pine street, voted ballot No. 43.

R. T. Whitelaw, 3234 Pine street, voted ballot No. 45.

Neither on official printed registration list. Ballot No. 43 voted for Butler. No. 45 voted for Reynolds.

Ward 22, precinct 12:

F. E. Knapper, 3450 Lawton avenue, voted ballots Nos. 169 and 211. Ballot No. 169 voted for Reynolds, No. 211 voted for Butler.

J. M. Storm, 3506 Pine street, voted ballot No. 65.

John M. Storm, 3506 Pine street, voted ballot No. 170.

Both votes for Butler.

Ward 23, precinct 3:

Jas. Kennedy, 513 or 512 Garrison avenue, voted ballot No. 212.

Jas. Kennedy, 513 South Ewing avenue, voted ballot 222.

Both votes for Butler.

Pat Connolly, 517 South Ewing avenue, voted ballots Nos. 112 and 169. Both votes for Butler.

Ward 23, precinct 4:

J. M. Matthews, 2910 Laclede avenue, voted ballots Nos. 21 and 152. Ballot No. 21 for nobody. No. 152 not found in ballot box.

Ward 23, precinct 6:

John Clancy, 3408 Walnut street, voted ballot No. 4.

John Clancy, 3417 Walnut street, voted ballot No. 164.

Both votes for Butler.

Wm. Lewis, 3500 Laclede avenue, voted ballots Nos. 119 and 180. Ballot No. 119 voted for Reynolds; No. 180 voted for Butler.

Ward 24, precinct 13:

L. Miller, no address, voted ballots Nos. 6 and 156. Ballot No 6 voted for Butler; ballot No. 156 voted for Reynolds.

H. C. Simpson, no address, voted ballots Nos. 9 and 328. Ballot No. 9 voted for Reynolds; No. 328 not found in the ballot box.

- J. Bailey, no address, voted ballots Nos. 10 and 201. Both votes for Butler.
 L. Nash, no address, voted ballots Nos. 21 and 414. Both votes for Butler.
 J. Schaeffer, no address, voted ballots Nos. 25 and 342. Both votes for Butler.
 J. Dec, no address, voted ballots Nos. 110 and 286. Both votes for Butler.
 J. Weis, no address, voted ballots Nos. 119 and 359. Both votes for Butler.
 E. Moore, no address, voted ballot No. 142.
 E. Moore, no address, voted ballot No. 354.
 E. Moor, no address, voted ballot No. 253.
 All three votes for Butler.
 R. Nash, no address, voted ballots Nos. 146 and 254. Ballot 146 voted for Butler; No. 254 voted for Reynolds.
 F. Smith, no address, voted ballots Nos. 150 and 282. Both votes for Butler.
 W. Thomas, no address, voted ballots Nos. 162 and 221. Ballot No. 162 voted for Butler; ballot No. 221 not found in ballot box.
 G. House, no address, voted ballots 163 and 312. Both votes for Butler.
 W. Brown, no address, voted ballots 164 and 235. Ballot No. 164 voted for Butler; No. 235 not found in ballot box.
 H. Jones, no address, voted ballots Nos. 171 and 212. Both votes for Butler.
 A. Cook, no address, voted ballots Nos. 173, 274, and 347. All three votes for Butler.
 M. Johnson, no address, voted ballots No. 177 and 277. Both votes for Butler.
 W. Obersham, no address, voted ballots Nos. 197 and 249. Both votes for Butler.
 O. Jackson, no address, voted ballots Nos. 198 and 284. Ballot No. 198 voted for Butler; ballot No. 284 voted for Butler twice.
 E. Oestel, no address, voted ballots Nos. 206 and 403. Both votes for Butler.
 J. Jones, no address, voted ballots Nos. 256, 266, and 293. Ballot No. 256 voted for Butler; No. 266 not found in ballot box; No. 293 voted for Butler.
 E. Albert, no address, voted ballots 258 and 340. Both votes for Butler.
 B. Casey, no address, voted ballots Nos. 273 and 294. Both votes for Butler.
 B. Wade, no address, voted ballots Nos. 278 and 291. Both votes for Butler.
 D. McGuire, no address, voted ballots Nos. 332 and 378. Ballot No. 332 not found in ballot box; No. 378 voted for Butler.
 Ed. Brown, no address, voted ballots Nos. 257 and 260. Ballot No. 257 not found in ballot box; ballot No. 260 voted for Butler.
 D. Franklin, no address, voted ballots Nos. 133 and 307.
 B. Franklin, no address, voted ballot No. 39.
 Ballot No. 133 voted for Butler. Ballot No. 207 not found in ballot box; ballot 39 voted for Butler.
 R. Hunter, no address, voted ballots Nos. 195 and 270. Both votes for Butler.
 J. McGee, no address, voted ballots Nos. 233 and 331. Ballot No. 233 voted for Butler; ballot No. 331 not found in ballot box.
 M. McDonald, no address, voted ballots 335 and 376. Both votes for Butler.
 J. McDonald, no address, voted ballots Nos. 382 and 419. Both votes for Butler.
 J. Johnson, no address, voted ballots Nos. 174 and 269. Both votes for Butler.
 J. Lannigan, no address, voted ballots Nos. 96 and 114. Both votes for Butler.
 A. Moore, no address, voted ballots Nos. 165 and 271. Both votes for Butler.
 R. Moore, no address, voted ballots Nos. 352 and 357. Ballot No. 352 not found in ballot box; No. 357 voted for Butler.
 J. J. Noonan, no address, voted ballots Nos. 209 and 420. Both votes for Butler.
 W. Scott, no address, voted ballots Nos. 27, 29, and 302. Ballot No. 302 not found in ballot box; Nos. 27 and 29 voted for Butler.
 J. Smyth, no address, voted ballot No. 194.
 J. Smith, no address, voted ballot No. 196.
 J. Smyth, no address, voted ballot No. 213.
 J. Smith, no address, voted ballot No. 351.
 All voted for Butler.
 W. Thomas, no address, voted ballots Nos. 162 and 221. Ballot No. 162 voted for Butler. Ballot No. 221 not found in ballot box.
 G. Williams, no address, voted ballots Nos. 251 and 289. Ballot No. 251 voted for Butler twice. Ballot No. 289 voted for Butler.
 J. Williams, no address, voted ballots Nos. 297 and 310. Both votes for Butler.
 J. Wells, no address, voted ballots 169 and 227. Both votes for Butler.
 C. Wilson, no address, voted ballots Nos. 299, 317, and 252. Ballot No. 299 voted for Butler; ballot No. 317 voted for Butler twice; ballot No. 252 not found in ballot box.
 J. Donahue, no address, voted ballot No. 373.
 J. A. Donahue, no address, voted ballot No. 387.

Both votes for Butler.

There were 8 Browns, 4 Cummingses, 5 Cookses, 7 McDonalds, 5 Noonans, 10 Johnsons, 8 Joneses, 4 Robinsons, 13 Smiths and Smyths, 6 Thomases, 6 Wilsons, and 6 Williamses, who voted in this precinct.

No cross-examination.

JOHN B. OWEN.

Subscribed and sworn to before me this 18th day of April, 1903.

My commission will expire June 26, 1905.

[SEAL.]

A. R. RUSSELL,

Notary Public, St. Louis, Mo.

Mr. KINSEY. In addition to the printed record of the testimony in the Wagoner-Butler case already offered in evidence, contestant makes the further offer of all the photographs which were taken and used in the Wagoner-Butler case and which are now in the possession of the Clerk of the House of Representatives, to be used over again as evidence in this case.

He also offers such further exhibits used in the Wagoner-Butler contest, and which are now in the possession of the Clerk of the House of Representatives, for use in this case, in so far as they are relevant and proper.

On this 10th day of April, 1903, the contestant having announced that he had no further testimony to offer, I concluded the taking of the depositions at the hour of 6 o'clock p. m. of said day.

STATE OF MISSOURI, *City of St. Louis, ss:*

I, A. R. Russell, a notary public within and for the city fo St. Louis, in the State of Missouri, do certify that, in pursuance of the annexed notice, came before me, at room 704, Oriel Building, in the city of St. Louis, and State of Missonri, Henry Westermann, William Poindexter, George B. Teasdale, Eugene Buder, Sidney L. Barnard, George D. Reynolds, and John B. Owen, who were by me severally sworn to testify the whole truth of their knowledge touching the matter in controversy aforesaid; that they were examined and their examination reduced to writing and subscribed by them respectively in my presence, on the day, between the hours and at the place in that behalf first aforesaid, and their said depositions are now herewith returned.

Given at the city of Sity St. Louis, in the State of Missonri, this 21st day of April, A. D. 1903.

My commission will expire June 26, 1905.

[SEAL.]

A. R. RUSSELL,

Notary Public, City of St. Louis, Mo.

EXHIBITS.

Contestant's exhibit No. 1, of April 10, 1903, part 1, A. R. Russell, notary public.

ST. LOUIS, December 20, 1902.

Pursuant to adjournment, as above stated, on this 20th day of December, A. D. 1902, I continued the taking of said depositions, as follows:

WILLIAM D. KOCH, of lawful age, being produced, sworn, and examined, deposeeth and saith:

Direct examination by Mr. PERRY:

Q. State your name and residence, Mr. Koch.

(Contestee objects to the introduction of this witness on the ground that he has received no proper notification, as required by law, of the intention of contestant to take the deposition of this witness at this time, at this place, and before this notary.)

A. My name is William D. Koch. I live at 3706 Manchester avenue.

Q. In what precinct and ward is that?—A. Thirteenth precinct, Twenty-third Ward.

Q. I will ask you, Mr. Koch, if you are pretty well acquainted with the inhabitants and voters of that precinct?—A. I am. I have lived there almost all my life.

Q. Did you ever serve as election officer?—A. Served for eight years.

Q. I will ask you to state, according to your best judgment, how many negro voters there are in that precinct?—A. Well, as near as I can get, about 15 that I know of.

Q. Do you know where that polling place is situated?—A. Yes, sir.

Q. Is it near your place of business?—A. Yes, sir.

Q. Where is it?—A. Across the street.

Q. Did you observe anything that was going on that day at the polling place?—A. I didn't hear anything only what I saw at times when I went out in the afternoon. I saw a number of negroes there then.

Q. How were they arranged? What did they appear to be doing?—A. They were arranged as though they were going in to vote; they were in line, same as they would be when ready to vote.

Q. They were standing in line ready to vote?—A. Yes, sir.

Q. About how many did you see?—A. About 25, sir; two or three different times.

Q. You saw that two or three different times?—A. Yes, sir.

Q. Did you recognize any of them?—A. No, sir; I didn't know a man.

Q. You didn't know anybody?—A. No, sir.

Q. Don't they live in the precinct or in that part of the city?—A. No; not that I know of.

Q. Is that all you know in reference to any irregularity in voting?—A. Yes, sir.

Cross-examination by Mr. BUTLER:

Mr. BUTLER. I wish it understood that I am cross-examining this witness under protest.

Q. Do you know all the voters in that precinct?—A. Almost.

Q. How many voters are there in the precinct?—A. Well, that is something I don't know because I have been judge sometimes, and I know it increases and decreases from time to time in the precinct.

Q. You don't know all the voters, do you, in the precinct?—A. I don't know all of them; I know most of them; I know most of the people who live there; I don't know how many there are.

Q. How many people live in the precinct?—A. I judge about in the neighborhood of 250.

Q. You think about 250, and you know most of these?—A. I know the biggest majority.

Q. You know the biggest majority?—A. Yes, sir.

Q. Could you name all of them?—A. No, sir; I couldn't.

Q. How many could you name?—A. Well, I don't know. I would have to name you a lot; but to name them all, that would be a hard thing to do.

Q. How many could you name?—A. I don't know.

Q. Could you name 250?—A. No, sir.

Q. Do you know 250 men in that precinct by name?—A. No, sir.

Q. Do you know them by sight?—A. I know the biggest majority of them.

Q. You know the biggest majority; what do you call the biggest majority—150?—A. Yes; I judge every bit of that.

Q. Then there would be 100 that you don't know?—A. Yes, sir.

Q. Then you don't know pretty near everybody in the precinct, do you?—A. Almost everybody.

Q. You call 150 almost everybody, when there are over 250 voters in that precinct; is that it?—A. Yes, sir.

Q. There is quite a difference between 250 and 150, is there not?—A. I know the biggest majority.

Q. How do you know them? It is hard to know all the men in the precinct, isn't it?—A. Not so very; if a man is a judge and goes through the ward he is bound to find out if he takes the depositions of them.

Q. You say this precinct increased and decreased from time to time?—A. Yes, sir.

Q. At times it was greater than others?—A. Yes, sir.

Q. You are a Republican?—A. Yes, sir.

Q. How long have you been a Republican?—A. Well, I vote for the best party; I don't care who they are—the best men.

Q. How long have you been a Republican?—A. From the time I was able to vote.

Q. From the time you began to vote?—A. Yes, sir.

Q. You considered the Republican to be the best party?—A. I considered that my party, although I vote for the best party.

Q. Do you know anything about the Republican party in the city of St. Louis?—A. I do.

Q. Do you know what the condition of the party was right before the last election?—A. Yes, sir.

Q. What was its condition in regard to harmony?—A. That I don't know much about, as I didn't pay that much attention to politics.

Q. You say you voted for the best party? Then it is your business to find out who the best party is? You don't know whether they were in harmony or not?—A. No, sir; I don't.

Q. Don't you know the condition of the party at that time?—A. No; I am not that much of a politician.

Q. Do you know how many candidates there were running for Congress?—A. Yes, sir.

Q. How many?—A. Two of them—Wagoner and Reynolds.

Q. Did you know of any other?—A. Yes; Jim Butler.

Q. Who else?—A. That is all I know of.

Q. Who else?—A. I don't know.

Q. Was there any other? wasn't there Captain Loffhagen?—A. No, sir.

Q. Never heard of him?—A. No, sir.

Q. You never heard that he was a candidate?—A. I know he was going to run, but he resigned.

Q. You know that he got the regular Republican nomination, and that he resigned and turned it over to Reynolds, don't you?—A. I do.

Q. You stated you did not know him?—A. Oh, he was not running; he resigned.

Q. He was a regular candidate?—A. He resigned before that time.

Q. Do you know why he resigned?—A. No; I am not that much of a politician.

Q. Which faction do you belong to—to Kerns?—A. I belong to no faction; I vote as my mind tells me.

Q. Which faction does your mind tell you to vote for?—A. I am no politician.

Q. You are no politician? Do you attend the Republican primaries?—A. No, sir; sometimes I do.

Q. How many years since you went to a primary?—A. Four years.

Q. You don't care anything about Republican primaries, do you?—A. I don't whenever I am busy. I don't take time to go.

Q. You always vote at the election?—A. No, sir; I didn't vote at the last Congressional election.

By Mr. PERRY:

Q. You don't know of any weakness in the Republican party, do you?—A. No, sir; I am not that much of a politician.

Q. Why didn't you vote at the last election?—A. Because I thought it was no use; it seems to me it would not count anyway.

Q. Why did you think that?—A. Because it seemed to be all one-sided.

Q. What do you mean by "one-sided?"—A. The Democrats seemed to have the best of it.

GEORGE SAUERBREY, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. PERRY:

Q. State your name and place of residence.—A. George Sauerbrey, 3730 Manchester avenue.

(Contestee objects to the introduction of this witness on the ground that he has received no proper notification, as required by law, of the intention of the contestant to take the deposition of this witness at this time, at this place, and before this notary.)

Q. Are you pretty well acquainted in that precinct, Mr. Sauerbrey?—A. I am living there.

Q. That is the thirteenth precinct of the Twenty-third Ward?—A. I have lived there at that same place forty-three years.

Q. You have lived there forty-three years?—A. Yes sir; I have.

Q. Did you ever serve as an election judge?—A. I have always served in the old Twenty-seventh Ward—not since it is the Thirteenth Ward—it is now the Twenty-third.

Q. You are pretty well acquainted with the people generally in that precinct?—A. I think I am.

Q. I will ask you to state what, in your best judgment, are the number of negro voters—how many negro voters there?—A. How many what?

Q. How many negro voters there are in that precinct?—A. Negro voters?

(Objected to as calling for a conclusion of the witness.)

Q. State how many in your best judgment.—A. I don't think over 25, if that many.

Q. Were you at the polling place or near it at the last election day, of the thirteenth precinct?—A. I went there at 9 o'clock and cast my vote, and then I went on about my business. When I came home at about 4 o'clock in the afternoon I saw a double file of negroes there that went from the door to the curbstone, and a policeman was there letting them in.

Q. How many do you think there were?—A. Fifty is my calculation; there must have been 25 in each row.

Q. There were two rows of them?—A. Two rows, yes, sir; they were standing in line like soldiers.

Q. Did you know any of them?—A. No, sir; I didn't know no negro in our precinct; not a one.

Q. You don't think that many live there, do you; as many as you saw there at that time?—A. No, sir.

Q. Is that the only time you were there or passing the polling place?—A. The only time.

Q. Did you hear anybody say anything about the negroes voting? Did you hear any expression about the negroes being repeaters?—A. Heard that the negroes had no right to vote there.

(Objected to.)

Q. You heard that they had no right to vote?—A. I don't know whether they had, and I didn't see them vote; that was the general impression.

Q. You saw them standing in line there?—A. I saw them standing two by two.

Q. At the polling place?—A. Yes, sir.

Q. You saw them there, two by two, in line?—A. You got to take your turn, don't you?

Cross-examination by Mr. BUTLER:

Mr. BUTLER. I wish it understood that I am cross-examining this witness under protest.

Q. How long have you lived in that precinct?—A. Forty-three years.

Q. Lived there forty-three years?—A. Yes, sir.

Q. And you say you saw none of these colored men vote?—A. How could I see them in passing on the car?

Q. Will you testify under oath that you know they were not entitled to vote?—A. No, sir; I would not.

Q. Will you testify under oath that there are not more than 25 negroes in the precinct?—A. I could not do that.

Q. Will you testify under oath that there are less than 50 live there?—A. I would not do anything of the kind.

Q. You would not do that either?—A. No, sir.

Q. You know absolutely nothing of that except of what you heard from the bystanders?—A. I said I saw them at the polls.

Q. And the impression was that they had no right to vote?—A. I have heard those remarks from neighbors.

Q. Who are the neighbors?—A. People there when I passed who saw them.

Q. Who were the neighbors? Tell us the names of one, two, or three. Give us the names, rather, of those who told you these men had no right to vote.—A. Nobody told me; I didn't say that.

Q. Nobody told you that?—A. No, sir. The impression there was that they had no right to vote.

Q. Can you give us the names of anybody that stated that who had this impression?—A. No, sir.

Q. Can not give the names?—A. No, sir.

Q. Not a single individual?—A. No, sir.

Q. Have you been a Republican all your life?—A. Not just exactly; voted the Republican ticket sometimes; if I see a good man on the Democratic ticket I will vote for him. I am a Republican by sentiment.

Q. What is your business?—A. Paper carrier.

Q. What paper do you carry?—A. All the morning papers.

Q. Do you read the papers as a rule?—A. Well, I do.

Q. Are you familiar with the conditions prevailing in the Republican party right before the last election?—A. I know there was a little split in it.

Q. A great big split, wasn't it?—A. I don't know how big.

Q. It was considered quite a large one.—A. I know they had a split about the candidates; about Lofthagen and Reynolds.

Q. Did you find that that injured the parties, or strengthened them, at the polls?—A. Now, you are asking a question I can't answer.

Q. What was the impression you got from conversations with the people on that subject?—A. About Lofthagen?

Q. About what the Republican chances had been?—A. I don't think it did them any good.

Q. You don't think it did them any good?—A. No, sir.

Q. Do you think it harmed them?—A. I think it must have harmed them if it did them no good.

Q. Do you know a number of Republicans refused to vote on that day?—A. No, sir; I don't. I don't know a one that didn't vote.

Q. In your precinct?—A. Yes, sir.

Q. Do you know whether they all voted the Republican ticket?—A. That is a question I can't answer; I can't tell you that.

Q. Did anyone tell you they did?—A. No, sir; not a one.

Q. You were not a judge or a clerk?—A. No, sir; I haven't been a judge or clerk for twelve years, or more than that, I suppose.

Redirect examination by Mr. PERRY:

Q. From your long residence in that precinct you have the means of knowing how many negroes resided in the precinct, have you not?—A. I told you a while ago that I did not think over 25.

Q. You stated your best impression was 25.—A. That is what I think; I would not swear to that.

Q. When you saw these two lines of negroes, did you notice whether any left the front and went back to the rear of the line?—A. No, sir; I didn't stay there long enough.

JOHN BURMEISTER, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. PERRY:

Q. What is your name?—A. John Burmeister.

Q. State your residence.—A. 3700 Manchester avenue.

(Contestee objects to the introduction of this witness on the ground that he has not received proper notice as required by law of the intention of the contestant to take the deposition of the witness at this time, at this place, and before this notary.)

Q. What business are you engaged in?—A. Sir?

Q. What business are you engaged in?—A. Saloon business.

Q. Have you also a rooming house in connection with that?—A. I have beds to rent.

Q. At 3700 Manchester avenue, is it?—A. Yes, sir.

Q. I want to ask you if Mr. Louis Meyer lives—resides at your place?—A. He does not at my place that I know; I have half rented out—the shop and stable rented out.

Q. Does George Rinkel live there?—A. No, sir.

Q. Does Will Ginney live there?—A. Not at my place.

Q. Does William Canty live there?—A. No, sir.

Q. Does William Englehart live there?—A. No, sir.

Q. Does Moses Fink live there?—A. No, sir; the only ones that live there is Frank Huntelbrinker, my brother-in-law, and myself.

Q. How many legal voters live at your place?—A. My place? Me and my brother-in-law; the rear place I don't know. They had 13 head of horses back there and 6 or 7 in another place, and lots of teamsters, and I don't know how many stayed there.

Q. Did these teamsters live in the stable?—A. Sometimes they sleep in the stable; yes, sir. I don't know their names, to tell you the truth; they might be different people.

Q. If they lived with you, you would naturally know them?—A. I never questioned anybody's name.

Q. You don't know whether they lived at the stable or not?—A. Only one party lives at my place.

Q. Do you know how many men are registered from your place?—A. I don't.

Q. Did anybody ever speak to you about registering from your place?—A. Not to me.

Q. To your wife or anyone there?—A. I live with my wife and children.

Q. Did anybody ever speak to her about registering people there?—A. No, sir.

Q. I don't understand whether you said you knew how many lived at your place?—A. Frank Huntelbrinker is the only one.

Q. I am talking about the number that registered from there.—A. I don't know whether anybody registered from there.

Q. Did you ever look over the registration list?—A. I looked over it a while ago.

Q. The list as given by the election commissioners?—A. You showed it to me by the window. Frank Huntelbrinker is the only one.

Q. I am asking about this list.—A. You showed it to me.

Q. How many did you know?—A. How many did I know? I didn't count the names; I don't know the people.

Q. I am just asking you how many names you saw on the register there that were—A. (Interrupting.) I can count them. There is nine on there.

Cross-examination by Mr. BUTLER:

Mr. BUTLER. I wish it understood that I am cross-examining this witness under protest.

Q. What address is that?—A. 3700.

Q. Manchester avenue?—A. Yes, sir.

Q. Your name is Burmeister?—A. Yes, sir.

Q. And you live at 3700 Manchester avenue?—A. Yes, sir.

Q. You are a Republican, are you not?—A. Well, I think that is my business. I don't tell you what I am.

Mr. BUTLER. I simply asked you; that is all. I didn't think a fellow would be ashamed of it if he was a Republican. You say there is a stable at the rear of your place there?—A. Yes, sir.

Q. A number of teamsters there?—A. Yes, sir.

Q. And they sleep there frequently?—A. Part of them does; part don't.

Q. How many of them do?—A. Well, as I say, some do, maybe three or four, sometimes none. Depends on how often he changes teamsters and gets new.

Q. Depends on the change?—A. Yes, sir.

Q. You don't know the names of these teamsters?—A. I don't know—I know one.

Q. Who is he?—A. Frank Dierke; he runs the stable.

Q. Do you know Louis Meyer?—A. No.

Q. Do you know George Rinkel?—A. No.

Q. Do you know whether he is a teamster?—A. No.

Q. Do you know Will Ginney?—A. No.

Q. Do you know whether he is a teamster?—A. No.

Q. Do you know Frank Hiler?—A. Yes; he is a teamster for the same party.

Q. He is a teamster?—A. Yes, sir.

- Q. Do you know Will Canty?—A. No, sir.
 Q. Do you know whether he is a teamster?—A. No, sir.
 Q. Do you know William Engelhart?—A. No, sir.
 Q. Do you know whether he is a teamster?—A. No.
 Q. Do you know Mr. Fink?—A. No.
 Q. Do you know whether he is a teamster?—A. No, sir.
 Q. Out of the number mentioned only one is known to you?—A. Yes, sir.
 Q. You say he is a teamster?—A. Yes, sir.
 Q. I understand that several others are there in the rear?—A. Yes; I know people been living there, but it change hands since.
 Q. You keep a lodging house?—A. Yes, sir.
 Q. How many people do you house there during the night or week?—A. Depends; might be three or four, or one or two, or seven or eight.
 Q. Sometimes you have the same party frequently, don't you?—A. Yes, sir.
 Q. Do you know them?—A. Not their names.
 Q. You keep no register there?—A. No, sir.
 Q. You rent a bed for the night?—A. Or two nights or more.
 Q. Frequently people came in their several times, did they not?—A. Yes, sir.
 Q. Stayed over night or for a longer time?—A. Yes, sir.
 Q. Sometimes they would go away and come back again?—A. Yes, sir.
 Q. You say you do not know any of their names?—A. I don't know any of them; never kept track of them. I know them by sight, that is all.
 Q. Do you know what the condition of the Republican party was at the last election with regard to harmony?—A. I don't know anything about politics; never was interested in that.
 Q. You don't know what the prevailing feeling was on the streets as to the Republican party's being very badly split up?—A. I never would listen to it.
 Q. Never would listen to it?—A. I have to make my living off working people; off politicians you can't make it.
 Q. Did that prevent you from listening, even if you work? What did the working people say about it?—A. Very few talks much.
 Q. Do you know how they felt?—A. No, sir.
 Q. Do you know how they voted?—A. No, sir.
 Q. Never heard them say?—A. Never; working people don't have time to talk; teamsters have to haul stuff; they don't have much time; they take supplies and deliver goods and earn their wages.

FRANK H. HUNTEBRINKER, of lawful age, being sworn and examined, deposeth and saith:

Mr. WALSH (to Mr. Buder, notary). Have you issued subpoenas for any one to appear here as a witness to-day?

Mr. BUDER. No, sir.

Mr. WALSH. Have you issued any subpoenas at any time for witnesses to appear here before you?

Mr. BUDER. No, sir; not since this contest begun. I have taken evidence under the subpoenas of other notaries.

Mr. BUTLER. We object to the witness giving his testimony before this notary for the reason that no notice, as required by law, has been given as to the intention of the contestant to take this deposition before this notary at this time at this place.

Direct examination by Mr. PERRY:

- Q. What is your name?—A. Frank H. Huntelbrinker.
 Q. Where do you live?—A. 3700 Manchester avenue.
 Q. That is in the thirteenth precinct of the Twenty-third Ward?—A. Yes, sir.
 Q. What is your business?—A. Teamster.
 Q. You are a teamster?—A. Yes, sir.
 Q. Where do you sleep?—A. 3700 Manchester avenue.
 Q. Do you sleep at that stable?—A. No, sir; I sleep in Mr. Burmeister's house.
 Q. Do you know how many sleep in that stable?—A. No; I get in at 4, put up my team, and then get out.
 Q. Does anybody sleep there?—A. There is several sleeping there; yes, sir.
 Q. Do you know of any illegal voting in the thirteenth precinct?—A. No, sir, I don't. I only registered once; that is the first time.
 Q. That is the first time you registered?—A. Yes, sir.
 Q. You were an officer of election on that day?—A. Yes, sir.
 Q. What official position did you hold?—A. Clerk.
 Q. You were a clerk?—A. Yes, sir.
 Q. Was there any canvass made of that precinct?—A. I don't know.

Q. Well, you were a clerk, were you not?—A. Yes, sir.

Q. It is your business to make a canvass, isn't it?—A. It was I guess, but I was only there two days.

Q. You were only there two days. Don't you know why there was no canvass made in that precinct?—A. I will tell you. There was another judge; another man there said he was put in my place to canvass.

Q. Who was that man?—A. I don't know; don't know his name.

Q. He told you that there would be some other man put there to do canvassing?—A. Yes, sir; a Democratic clerk.

Q. A Democratic clerk?—A. Yes, sir.

Q. Do you know his name?—A. I do not.

Q. Did you ever see him before?—A. No, sir.

Q. Did you serve with him on election day?—A. No, sir; I did not.

Q. You served on election day?—A. Yes, sir.

Q. Did this Democratic clerk serve?—A. No, sir.

Q. What became of him?—A. I couldn't tell.

Q. How do you know he was a Democrat?—A. Mr. Rothchild told me he was.

Q. Who is Mr. Rothchild?—A. He is supposed to be a judge.

Q. He was a Democratic judge?—A. He was a Republican if I ain't mistaken.

Q. You don't know whether he was a Democrat or Republican?—A. I don't.

Q. You are not well posted on these matters, are you?—A. It was the first time I served.

Q. And you made no canvass?—A. I did not.

Q. The Democratic clerk told you not to; that some one would make it in your place?—A. Yes, sir.

Q. How much money did you get for acting that way on that day?

(Objected to on the ground that this is the contestant's own witness, and that he is trying to impeach his own witness.)

Mr. PERRY. Answer the question now.

Mr. WALSH (to the witness). That is a question that you have a perfect right to refuse to answer on account of the insulting manner in which it is put and as tending to incriminate you.

The WITNESS. I want to answer; I did not get a copper.

Q. Didn't you make the statement to different people that you got \$25 to let the Democrats do as they pleased?—A. No, sir; I went in there to attend to my own business.

Q. Is that the way you attended to it?—A. I tried the best way I knowed how, sir.

Q. You didn't tell these different parties that you got \$25 for letting the Democrats do as they pleased?—A. No, sir.

Q. You did let the Democrats do as they pleased?—A. I couldn't help that.

Q. You were a Republican clerk out there; you made no canvass; you let them do as they pleased on election day?—A. I couldn't help what they did.

Q. You simply let the Democrats do as they pleased, didn't you?—A. I couldn't help it; a man came and voted, if he wanted to vote, you know.

Q. Yes, I know. Did you object to anybody's voting?—A. I didn't, sir; I kept track of the tally sheet.

Q. Who handled the poll books?—A. Mr. Foley.

Q. Mr. Foley—what was he, a Democratic judge?—A. I couldn't tell you; I never asked the man.

Q. You didn't even know the Democrats from the Republicans?—A. No, sir.

Q. Didn't you know whether he was a Republican or a Democrat?—A. No, sir.

Q. Who signed the returns?—A. Who signed the returns?

Q. Yes, sir.—A. What do you mean by returns?

Mr. PERRY. That's all; I find you know about as little now as you did on election day.

Cross-examination by Mr. BUTLER:

Q. Who appointed you clerk?—A. Jim Conklin.

Q. Jim Conklin appointed you clerk?—A. Yes, sir.

Q. Was you not appointed by Mr. Clark?—A. No, sir.

Q. You don't know Mr. Clark?—A. I don't.

Q. Were you appointed from the election commissioner's office or sworn in at the polls?—A. Sworn in at the polls.

Q. That is because there was no Republican there; is that the reason?—A. Yes, sir.

Q. You didn't see any illegal voting done there?—A. No, sir; I did not.

Q. You are pretty well acquainted in that precinct?—A. Been around there five years.

Q. You have been around there five years, have you?—A. Yes, sir.

Q. You are pretty familiar with the people living in that precinct?—A. Yes, sir.

Q. You didn't see anybody who lived outside of the precinct voting there, did you?—A. I did not; I think everyone that voted there lives in the precinct. There was 435 votes cast that I know of.

Redirect examination by Mr. PERRY:

Q. You say 435 cast that you know of?—A. Yes, sir.

Q. You know 435 voters there?—A. I don't know every man; I don't think any man could know 435.

Q. What do you mean, then, by saying 435 that you know of?—A. I mean that many cast.

Q. You mean the election returns showed that, do you?—A. Yes, sir.

Q. Oh, that is different. So you were sworn in on election day?—A. I was; the last day of registration.

Q. The last day of the registration?—A. Yes, sir.

Q. Who had you sworn in? Who was the first man you spoke to about it?—A. Jim Conklin.

Q. Who was he, a Democrat or a Republican?—A. I don't know.

Q. Which did you serve as a Republican or a Democrat?—A. I served as a Republican clerk.

Q. You don't know which one called you in, do you?—A. I know the man.

Q. You don't know whether he was a Democrat or a Republican?—A. I don't.

Q. Do you know how many there are in that stable there?—A. I only know one; Frank Dierkes owns the teams there.

By Mr. BUTLER:

Q. You were subpoenaed upon the part of the contestant?—A. What do you mean, Mr. Butler.

Q. Who subpoenaed you here, the contestee or the contestant, for Mr. Wagoner?—A. The papers, the subpoena, it was left by my brother-in-law.

Q. Have you the subpoena with you?—A. Yes, sir.

Q. Mr. Burmeister is your brother-in-law, you say?—A. Yes, sir.

(Paper produced and shown to counsel.)

Mr. BUTLER. Look at this, and state if it was not served on the part of the contestant.

The WITNESS (after examination). I don't know.

Mr. WALSH (to Mr. Perry). I presume you admit, Mr. Perry, that he was subpoenaed by you, or by your side, the contestant?

Mr. PERRY. I don't know. If I looked at it I could tell.

Mr. WALSH. You surely don't think you are examining our witness at this time, do you?

Mr. PERRY. I strongly suspect he is one of your men.

By Mr. BUTLER:

Q. Read that and see if you can't tell what side you were subpoenaed on—for the contestant or the contestee. Can you see now?—A. No, sir.

Not being able to complete the taking of said depositions this day, by reason of absence of witness, I hereby adjourn the further hearing until Monday, December 22, at 2 o'clock p. m.

Contestant's exhibit No. 1 of April 10, 1903, Part 2, A. R. Russell, Notary Public.

Depositions of witnesses produced, sworn, and examined on the 19th day of December, A. D. 1902, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, at No. 417 Pine street in the city of St. Louis, State of Missouri, before me, Eugene Buder, a notary public within and for the city of St. Louis, in the State of Missouri, in the election contest for Congressman of the Twelfth Congressional district now pending in the Fifty-seventh Congress of the United States wherein George C. R. Wagoner is contestant and James J. Butler is contestee, on the part of the contestant.

Present: L. G. Peery, esq., counsel for contestant, and James J. Butler, esq., the contestee, and Thomas J. Rowe, esq., counsel for the contestee.

PATRICK H. CLARK, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. PEERY:

Q. State your name and residence.—A. Patrick H. Clark; residence, 3133 Eads avenue.

(The contestee here enters an objection to the testimony of Mr. Clark on the ground that the contestee has not received any proper notification in writing, as required by the United States statutes, that this witness was to testify before Notary Buder.)

Q. You reside in the Twelfth Congressional district, do you?—A. Yes, sir.

Q. What political office do you hold?—A. Republican central committeeman of the Twenty-third Ward.

Q. I will get you to state what you may know about any false registration in the thirteenth precinct of the Twenty-third Ward?—A. I am not positive about any false registration. I am positive that precinct 13 was not canvassed on revision day, the polls there were not opened at all according to law. I passed there about 2 o'clock in the afternoon. I went to the polling place on my rounds through the ward, and precinct 13 was locked. I went there again about 3 o'clock and it was still locked. I went on about my business and met John McCluskey, and asked him to call there as he was going over that way, and he called there about half past 3, I think, and said it was still locked.

Q. Who is John McCluskey?—A. He lives out in my ward.

Q. He was not a judge or clerk of registration, was he?—A. No, sir.

Q. Where does he live?—A. He lives on Caroline street; I don't know the number, exactly.

Q. You may state anything else you know with relation to the thirteenth precinct, pertaining to political methods there.—A. I heard that they abused the judges there on the day of election, and put them out.

(The contestee objects to this evidence as hearsay.)

The WITNESS. I don't know anything about that of my own knowledge.

Q. Did anybody tell you anything about that?—A. Oh, yes, sir; I was told by several.

Q. Name who told you.—A. Jim Rothschild, himself, told me he was abused there; they called him a damned Jew, * * * and everything like that.

Q. Can you think of any other one?—A. That is all I can think of just now.

Q. I will ask you what you know with reference to the sixth precinct of the Twenty-third Ward not being canvassed?—A. Reagan had that precinct canvassed himself for his own benefit when he was running for justice of the peace, and he claimed he found 150 names there that ought not to have been on the books. I can not say that any of those names were used—I am not sure about that.

Q. Do you know whether or not it was canvassed by the election clerks prior to the last election?—A. Our clerk there told Commissioner Aloe and myself that he canvassed the precinct. We found afterwards that it was a lie; that he did not do it.

Q. Who told you that he canvassed the precinct?—A. The clerk.

Q. What was his name?—A. I think his name was Heinrichs, or Hendricks; something like that. He told Aloe and myself that he had canvassed it, and he did not do it.

Q. Do you know of any other precincts in the Twenty-third Ward that were not canvassed?—A. No. I think they were all canvassed by some man—that they canvassed in all the rest. It may not have been what it ought to be, but I am satisfied that most of the precincts in the Twenty-third Ward were all right; nine of them, anyhow, I know was right.

Q. State if you know any other facts pertaining to false registrations or alleged irregularities in the Twenty-third Ward.—A. No; I don't know anything that I can substantiate with any evidence.

Cross-examination by Mr. BUTLER:

(The contestee states that he cross-examines this witness under protest, having made an objection to the introduction of his testimony.)

Q. You are the Republican central committeeman of that ward?—A. Yes, sir.

Q. How long have you been Republican committeeman there?—A. Twenty-six years last August; somewhere along there.

Q. Do you know who appointed the judges and clerks of the election, or, rather, suggested an appointment of the judges and clerks of election on the Republican side in that ward?—A. Yes, sir.

Q. Who?—A. I did.

Q. The men that you suggested were appointed, were they?—A. There was one Republican that I selected that was not appointed; he may have been appointed, but he did not serve.

Q. All the others did?—A. Yes, sir; all the others served.

Q. You have been a consistent Republican all your life?—A. Yes, sir.

Q. You are familiar with the troubles of the Republican party at the election, or prior to the last election, are you not?—A. We had no troubles in our ward.

Q. I am speaking about the troubles in your party in the city of St. Louis, as well as the Twelfth Congressional district.—A. Well, there was trouble before the primaries, of course, some little.

Q. What were the troubles before the election? Just state all you know about the existing troubles in the Republican party, the split between the two factions in reference to the Congressman of the Twelfth Congressional district; also the disruption of the old committee and the appointment of a new committee, and the supreme court case?—A. That is a pretty long story.

Q. Well, I want you to tell it; just tell the story as well as you can.—A. Well, the old committee tried to have fusion here with the Meriwether party, the State committee objected to it for some reason, I don't know why, and there were 16 of the old committee thrown out of office and new men elected in their places.

Q. Sixteen of the old committee?—A. I think it was 16.

Q. And new men elected in their places? By whom were the new men elected?—A. By the remaining city central committee, supposed to be.

Q. What was the remainder?—A. About 12.

Q. There were 16 men, then, of the recognized city central committee expelled by the Republican party, were they not?—A. Yes, sir.

Q. And their vacated seats were filled by the minority of 12 that were not expelled; is that the understanding?—A. I think that is right.

Q. Now, will you state how this expulsion came about?—A. I couldn't tell you; I was not there.

Q. Don't you know, as a matter of fact, that this expulsion took place after the State central committee had granted the old committee two hours in which to fix up the differences; that they were expelled while they were attempting to fix up the differences?—A. It was so reported.

Q. You know that to be the fact, don't you?—A. Yes, sir; it was so reported to the committee.

Q. They were expelled during the time that the State committee had given them to try and patch up their differences?—A. Yes, sir.

Q. And came back with the differences supposedly patched up, and found that they had in the meanwhile been expelled; that is the case, isn't it?—A. That is right.

Q. Then what was done by the old committee, or the new committee, either one; what steps were next taken?—A. Tried to get into court, but failed for some reason; I believe the case is still pending now.

Q. Who tried to get into court?—A. The old committee.

Q. They did get in, didn't they?—A. I think the case is pending now.

Q. What was done with that case?—A. I say it is still pending.

Q. Didn't the Republican supreme judge give some decision at that time?—A. That is a different case; that is a different proposition.

Q. What about that proposition?—A. They went up to the supreme court—I am no lawyer, Jim, I can't tell you about these things.

Q. You know as a politician what was done?—A. We went up to the supreme court and tried to get some kind of a writ up there, succeeded in getting it and then they even went back on what the decision of the supreme court was—I can't tell all these things.

Q. The election commissioners, in other words, ignored the decision of Judge Robinson of the supreme court, did they not?—A. Yes, sir.

Q. There were two Republican newspapers in the city of St. Louis at that time, were there not?—A. Yes, sir.

Q. What were they?—A. The Globe and the Star.

Q. That is, avowed Republican newspapers. Now, will you state what stand those two papers took in reference to the fight, who was the Star with?—A. The Star was with the old committee.

Q. And with them very strongly, too; was it not?—A. Yes, sir.

Q. It heaped considerable abuse on the Globe for being with the new committee and the irregular committee, did it not?—A. Yes, sir.

Q. The Globe, on the contrary, was with the new committee, or the reorganized committee, wasn't it?—A. Supposedly so.

Q. Well, wasn't it so?—A. Yes; I guess that is right.

Q. Didn't the Globe Democrat advocate the ignoring of the old committee entirely and the ignoring of Judge Robinson's ruling?—A. I believe it did.

Q. Now all this brought about a very serious rupture in the Republican party in the city of St. Louis; did it not?—A. I guess it didn't do it any good.

Q. Didn't it do it a good deal of harm?—A. I don't know; after the primaries were over I thought everything was patched up, but the result didn't look like it.

Q. Don't you know it was not patched up? Don't you know there were numbers of Republicans that absolutely and positively stated that they wouldn't have anything to do with the election on account of the troubles as they existed?—A. I never heard any of them say that, Jim.

Q. You did not?—A. No.

Q. You know that a great number stayed away from the polls?—A. Yes; I believe that.

Q. In every ward?—A. Well, we polled pretty near the usual vote at that time in our ward; we didn't have much trouble there.

Q. But you believe a great many stayed away on account of the troubles?—A. A good many that ought to have went to the polls but did not. There are not very many Republicans in our Ward to start with.

Q. What was the condition with reference to the Twelfth Congressional district; there was considerable trouble, wasn't there?—A. I paid very little attention to that.

Q. To the Twelfth Congressional district?—A. There was some trouble about the convention.

Q. Was there not a fight in your ward in reference to committeemen there?—A. I was going to the G. A. R. encampment at that time and I didn't pay any attention to it at all.

Q. Don't you know there were several Republican nominations, and all claiming to be the regular nominees for Congress?—A. Two, I believe.

Q. Who were they?—A. George D. Reynolds and Captain somebody, an educator that works in the Washington University.

Q. Captain Loffhagen?—A. Yes, sir.

Q. Loffhagen was a representative of the old committee, was he not?—A. Yes, sir.

Q. Or the Kerens faction of the party, that is what it is generally called, isn't it?—A. I guess it is.

Q. And Reynolds was the representative of the Atkins or the silk-stockings faction, as it is called, was he not?—A. I don't know whether there was much faction about that time or not, Jim. I think the Congressional committee was in pretty good shape until they got into convention and then they busted in the convention.

Q. That was where the burst was?—A. I think so.

Q. State how it came about?—A. I can not do it because I was not there.

Q. You read it in the public press afterwards?—A. I was on my way to Washington at that time and not here; all I read about it was what I got in the Washington papers.

Q. Did you never hear anybody tell about it?—A. Yes, sir; but you just said a while ago that hearsay testimony was not worth anything.

Q. I saw you put in some, we understand that, but my friend on the other side pays no attention to such objections and that is the reason I am getting it in. State who you did converse with on the subject of the party, particularly in the Twelfth district.—A. With our Congressional committeeman, Harry W. Whelan; I asked who he was for when I got back and he said he was for Loffhagen and now he was for Reynolds and was going to stick with him.

Q. That was your committeeman?—A. Yes, sir.

Q. Who else did you discuss the subject with?—A. With John B. Owens, I think.

Q. What did you say to Owens, or he say to you?—A. He just told me about the convention—what a time they had up there, all broke up in a row.

Q. And what else; tell all that Owen said about it?—A. My memory is not very good to remember all these conversations.

Q. Did Owens say who he was for at that time?—A. He was for Loffhagen; no doubt about that.

Q. Did he say which convention he considered to be the legal one at that time?—A. Yes, sir; he said the Loffhagen.

Q. Who else did you discuss the matter with?—A. I couldn't tell now who I discussed it with; it was common talk around the streets at that time.

Q. These people that you discussed these conventions with, I suppose they all were unanimously of the opinion that these splits in the Republican party about the three or four nominees, each one representing different factions, would solidify the party and make it harmonious in every detail, were they not?—A. After they all got down to business and stuck to Reynolds they expected Reynolds to be elected.

Q. Did they all get down to business?—A. I guess they did; the committee did, anyhow.

Q. Are you a member of the Merchants' League Club?—A. Yes, sir.

Q. How long have you been a member of it?—A. About since it was organized.

Q. That was the strongest Republican club in the city of St. Louis, was it not?—A. Yes, sir.

Q. Comprises the rank and file of the party in all the wards, the working element of the party?—A. Yes, sir.

Q. Was that club favorable to Mr. Reynolds's candidacy?—A. Well, I heard there was a resolution passed there against Reynolds, but I don't know that for I was not there.

Q. You heard resolutions passed against him?—A. I don't know whether it was in the shape of resolutions or not.

Q. Did you ever read the resolutions that were passed there against Reynolds?—A. I don't remember now.

Q. Didn't you read them in the Globe-Democrat?—A. Very likely I did at the time, but I can't recollect now.

Q. Don't you know Reynolds wrote to the Globe-Democrat and asked to be published the resolutions, which they did do?—A. Yes, sir.

Q. Don't you know the resolutions denounced the candidacy of Mr. Reynolds in the most bitter terms?—A. I don't think he was nominated then.

Q. Don't you think that was the case?—A. Yes, sir.

Q. I will ask you, Don't you know that was the case?—A. Yes, sir.

Q. Do you think resolutions of that character are calculated to add strength to the candidacy of the Republican ticket when the strongest club in the whole city, made up of the rank and file of the party, passes resolutions denouncing his candidacy in the most bitter terms?—A. It is not calculated to add strength to it; of course not.

Q. Now, Mr. Wagoner was not nominated at the same convention that nominated Reynolds, was he, for Congress?—A. I think the same men nominated him, the same delegates.

Q. Was he nominated for the same place, or by the same, identical men, or wasn't there two conventions?—A. I can't tell you that now; I was out of the city then.

Q. Don't you know, as a matter of fact, there were two conventions?—A. Yes, sir; I believe there were.

Q. One was at the Merchants' League Club?—A. Yes, sir.

Q. And the other at Chatsworth's Hall, or whatever they call it?—A. Yes, sir.

Q. And they were several days apart, don't you know that?—A. I heard so; I don't know that.

Q. Don't you know those conventions nominated separate candidates for Congress?—A. Yes; I believe they did.

Q. Don't you know those candidates remained in the field and were piling additional nominations upon the election commissioners in order to solidify their position from day to day?—A. Yes.

Q. Don't you know that the city counselor of the city of St. Louis decided that neither of them had a legal nomination, and that they were so notified by the election commissioners, and that all parties then proceeded to be nominated by electors?—A. Yes, sir.

Q. Which was done; don't you know that?—A. Yes, sir.

Q. Don't you know they were, furthermore, nominated by their revised central committees; don't you know that?—A. No; I don't know that; that may have been the case.

Q. Don't you know there were two Congressional central committees at that time acting?—A. Two Congressional central committees?

Q. The Congressional committees; one presided over by Teasdale and the other presided over, I believe, by Mr. Loffhagen. One of which Whelan was secretary and the other of which Charles G. Beedle was secretary.—A. That was not two committees; that was a division of the committee.

Q. They had two sets of officers?—A. They never filled up their vacancies so as to make up two committees.

Q. Then neither of the committees were legal; is that the way I understand it?—A. I don't know; whichever had the majority I suppose was legal.

Q. There was a big split in the Congressional committee?—A. Yes, sir.

Q. One faction representing and upholding the candidacy of Loffhagen and Wagoner and the other faction upholding the candidacy of Reynolds and Reynolds for the long and short term; isn't that the fact?—A. Yes, sir.

Q. Were not six members of the Congressional committee expelled by the committee, also?—A. I never heard of that.

Q. Members at large?—A. Members at large, I don't know. I have heard something about that, but I don't know exactly what it was. I believe there was something like that going on, but I didn't pay no attention to it because I was not interested in it.

Q. There were so many things going on that it was pretty hard to keep track of them, wasn't it?—A. Yes, sir.

Q. Do you know that there was continual abuse heaped upon Mr. Loffhagen by the Globe-Democrat for remaining in the race, and also continual abuse heaped on Mr. Reynolds by the Star for remaining in the race?—A. I know the Globe abused Loffhagen a good deal; I don't remember seeing anything in the Star about Reynolds particularly.

Q. Do you know that Loffhagen was finally prevailed upon to withdraw, and did he not withdraw?—A. Yes, sir; I don't know whether he did it voluntarily or was prevailed upon.

Q. Did you read his letter of withdrawal?—A. Yes, sir.

Q. It was characterized by the purest desire for harmony, was it not?—A. Yes, sir; as far as he was concerned I think so.

Q. You read his letter, did you?—A. Yes, sir; I think he said he did it in the interest of harmony.

Q. In order not to be accused of the defeat of his party, wasn't that the reason?—A. Probably that is what he said.

Q. I will ask you to see if you can remember if this is not the letter that Mr. Loffhagen published at the time of his withdrawal: "Editor of the Globe-Democrat, St. Louis, Mo., October 15. Several days ago, sincere in the belief that George D. Reynolds could not secure the party vote, I sent him a proposal, which, in my opinion, was the only logical method to be pursued by all parties concerned who were sincere in their desire for party success. To this proposal I have received no response. Therefore, in order that the complications which now confront the Republicans of the Twelfth Congressional district may be settled in such a manner as will give the party the greatest possible chance of success and accomplish the defeat of James J. Butler, the Democratic nominee, and inasmuch as the Globe-Democrat and the Republic are of the opinion that George D. Reynolds should be the Republican nominee, therefore, should the board of election commissioners recognize my claims, Mr. Reynolds, and the element now in control of a party machinery, and now managing and conducting the city campaign, would place the responsibility of Republican defeat upon my shoulders, and inasmuch as I am a devoted and sincere Republican, and being desirous of Republican success, regardless of any man's personal ambitions, and in order that I may not be unjustly regarded as standing in the way of party success, I have concluded to withdraw my candidacy for Congress of the Twelfth district and have this day served notice of said withdrawal on the board of election commissioners. In conclusion, I desire to say that I will support George D. Reynolds in his candidacy, and trust that my Republican friends and supporters of the Twelfth district will do the same. Respectfully, E. H. Loffhagen."—A. Yes, sir; that is the letter.

Q. Do you think that letter grew out of the fullness of Mr. Loffhagen's generosity of heart and kindness and love and affection for George D. Reynolds?

(Counsel for the contestant objects to what the witness thinks Mr. Loffhagen thought.)

A. I couldn't say, Mr. Butler; I don't know anything about Mr. Loffhagen's and Mr. Reynolds's kindness for each other at all.

Q. You don't think for one moment that that letter has the ring of harmony about it, do you?—A. Well, that looks all right.

Q. You are satisfied, then, that Mr. Loffhagen felt at that time that Mr. Reynolds was the only candidate and that he should never been considered as such?—A. I don't know as I can say that.

Q. You know that Loffhagen and Wagoner, however, were both nominated by the same convention?—A. Yes, sir.

Q. Or the same parts of the same convention?—A. Yes, sir.

A. You know that Wagoner did not withdraw from the race?—A. No; he did not.

Q. But you do know, as a matter of fact, that Reynolds did withdraw from the race?—A. Reynolds?

Q. Yes; for the short term?—A. Oh, yes.

Q. Now, then, as a Republican politician and a man who has been constantly a Republican for some time and knows the ways of party conventions, how can you reconcile Wagoner being nominated by one convention and Reynolds being nominated by the other convention, and still both of them being the regular nominee of the Republican party and neither one of the conventions being admitted by the other as being legal?—A. That is pretty hard to reconcile, I expect.

Q. Do you read the newspapers?—A. Yes, sir.

Q. You have read the interview upon several occasions with Mr. Reynolds and other candidates for Congress at that time?—A. I am not sure that I have read all the interviews; I have read several, I expect.

Q. Did you ever read this interview with Mr. Reynolds, which has never been denied: "Is not hawking nominations. When asked concerning this proposition yesterday Mr. Reynolds said: 'All I desire to say about Mr. Loffhagen's proposition is that either Messrs. Loffhagen and Wagoner are the Republican candidates for the long and short terms from the Twelfth district or I am. Believing that I am, I have nothing to barter. Mr. Loffhagen's proposition is simply one that involves hawking the nominations. It is as a protest against that kind of politics that I am a candidate. The race must be made on the Republican side by Messrs. Loffhagen and Wagoner or by myself. I have no trade to make and will go into no deals.'" Do you remember reading that interview?—A. Yes, sir.

Q. Mr. Reynolds was not exactly faithful to the statements contained therein, was he? He did enter into a deal whereby he permitted Mr. Wagoner to remain on the ticket in place of himself, did he not?—A. Yes; he must have.

Q. So that, as a matter of fact, the whole conditions preceding the last election were those of discord, and the affairs were settled up then by means of hawking and jobbery in the Republican ranks, were they not?—A. Well, I don't know; I couldn't say how that was.

Q. You wouldn't like to say that was not the case, would you?—A. No, sir; I wouldn't say either one.

Redirect examination by Mr. PEERY:

Q. You say that one of the judges or clerks that was given by you to the committee did not serve?—A. Yes, sir.

Q. Do you know for what reason he failed to serve?—A. I couldn't say; I don't know.

Q. You say you read the newspapers in St. Louis?—A. Yes, sir.

Q. Do you read the Globe-Democrat?—A. I read all of them.

Q. Read the Star?—A. Yes, sir.

Q. Read the Republic?—A. Yes, sir; I take all of them.

Q. Do you read the Westliche Post?—A. I can't read that.

Q. I will ask you whether or not the Globe-Democrat supported Mr. Butler in his canvass?—A. No, sir; I don't think so.

Q. Did the Star support Mr. Butler in his canvass?—A. No, sir.

Q. Of what political faith is the Republic in this city?—A. Supposed to be Democratic.

Q. Supposed to be a Democratic party paper, isn't it?—A. Yes, sir.

Q. Isn't it called the leading Democratic paper in St. Louis?—A. Yes, sir.

Q. I will ask you if it was not bitterly opposed to Mr. Butler in the last contest?—A. Yes, sir. I read several articles in it against Mr. Butler.

Q. Now, Mr. Clark, in regard to these meetings that Mr. Butler has referred to in reference to throwing out part of the city central committee by the State committee, and in reference to the two Congressional conventions that were had, and in reference to the split in the Twelfth Congressional district, I mean the committee of the Twelfth Congressional district, on the day of the primaries, this was all before the nominations were made, wasn't it?—A. Before the nominations for the State officers were made.

Q. And these were factional fights in the Republican party, were they not?—A. Yes, sir.

Q. Now, then, I will ask you if after these nominations were made and in the Congressional district Mr. Reynolds became the candidate for the long term and Mr. Wagoner for the short term against Mr. Butler for the two terms, if you heard of any more decisions in the Republican party after that time, after these men were placed on the ticket?—A. No, sir. After the nominations in the conventions were made I didn't hear anything more about it; everything smoothed out.

Q. Isn't it your belief, and do you not know after the nominations were made—after the Republican ticket was placed before the people to fight for—that the party supported the regular ticket in the regular way and were in unison as political parties are after conventions are held, don't you think that is true?—A. I think it is, but the result shows there was a falling off in the Republican vote. I don't know why that was.

Q. Then you heard the letter read by Mr. Butler, written by Mr. Loffhagen, stating the reasons why he wanted to withdraw from the race, which was, in substance, to permit harmony. I will ask you if you did not believe, after he did withdraw

from the race and after Mr. Reynolds withdrew from the short term, that harmony was promoted to a great extent?—A. I think so.

Q. You spoke of the Merchants' League Club as representing one faction of the Republican party. There is also a Republican club in St. Louis known as the St. Louis Republican Club, is there not?—A. Yes, sir.

Q. A club of considerable prestige and influence in the Republican party, isn't it?—A. Yes, sir.

Q. I will ask you if Mr. Reynolds was not conceded to be the candidate of that faction known as the St. Louis Republican Club faction?—A. Yes, sir; I believe he was.

Q. And Mr. Wagoner was conceded to be the candidate of the faction known as the Merchants' League Club, was he not, or, at any rate, they were supposed to be friends of his?—A. I don't think the Merchants' League Club had anything against Mr. Wagoner, or the St. Louis Club, either.

Q. Don't you think putting up that kind of ticket had a tendency to add strength to the ticket and to unite, to a great extent, the two factions of the Republican party?—A. Well, it ought to. So far as the workers of the party were concerned there was not any trouble among them after these things were all gone through with. I only know from my own neighborhood; of course I know that to be a fact. There was not any trouble out there.

Q. And the new committee was elected, wasn't it?—A. Yes, sir.

Q. And you have heard of no trouble in the committee?—A. Not since the election.

Q. And they were the committee that managed the last campaign at which Butler and Wagoner ran?—A. Yes, sir; they were managing it.

Q. You remember, do you not, that Mr. Butler ran in what was known as the old Twelfth district?—A. Yes, sir.

Q. And the vacancy occurred in what was known as the old Twelfth district?—A. Yes, sir.

Q. And the district has been changed since that time?—A. Yes, sir.

Q. And that the new district is bounded by different lines from the old district, isn't it?—A. Yes, sir.

Q. Now, didn't quite a lot of this discussion about the way a man should be nominated, the way the parties should nominate the candidates, originate from the fact that the district had been changed and they were at some loss to ascertain the legal way to nominate a man; didn't a good deal of discussion come from that fact?—A. There might some come from that. As I said before, I was getting ready to go to Washington at that time to the encampment and I didn't pay much attention to it. I left it all to Harry Whelan; he was Congressional committeeman, anyway.

Recross-examination by Mr. BUTLER:

Q. You say there was absolute harmony after the nominations in the Twelfth district?—A. As far as I know, there was.

Q. Don't you know, as a matter of fact, that it was after the nominations were made, after the alleged harmony was patched up — A. After Loffhagen withdrew.

Q. Don't you know it was after that time that the six members of the Congressional committee were expelled?—A. No, I think not; I think you are mistaken about that.

Q. Don't you know it was the new committee that expelled them; don't you know they were expelled because they were connected with the St. Louis Republican Club and their expulsion gave the committee again into the hands of the Merchants' League Club; don't you know that to be a fact?—A. I am not well enough posted about that to say.

Q. You won't say it is not the fact?—A. No, sir.

Q. You wouldn't say it did not happen?—A. No, sir; I am not sure about that, I couldn't say.

Q. Don't you know the Merchants' League Club and the St. Louis Republican Club are constantly at loggerheads, and neither one of them are in favor of what the other one wants? Now, answer that.—A. Unfortunately that has been the case a good deal.

Q. Mr. Peery asked you in reference to the position of certain St. Louis newspapers toward Mr. Butler. I will ask you if you don't know, as a matter of fact, that Mr. Butler was nominated by the Democratic party, absolutely without any opposition of any kind whatsoever, for Congress?—A. Yes, sir.

Q. For both the long and the short terms?—A. Yes, sir; nominated by acclamation, I understood.

Q. Don't you know that the Democrats, as far as you know, were absolutely a unit for him in that district?—A. The convention showed that.

Q. Don't you know there were numbers of Republicans in the Twelfth Congressional district that were friends to Butler?—A. Yes, sir.

Q. Don't you know there were numbers of them that voted for him?—A. Yes, sir; I believe that.

Q. Do you know how the negro element voted on election day?—A. Most of them voted for Butler.

Q. How many negro voters are in the Twelfth Congressional district?—A. I couldn't tell you that.

Q. Have you any idea?—A. I don't know.

Q. You are satisfied, however, that most of them voted for Butler?—A. Yes, sir.

By Mr. PEERY:

Q. When I asked you in reference to the support of the Republic, the Globe, and the Star and said Butler, I meant Mr. James J. Butler, candidate for Congress for the long and short term in the Twelfth Congressional district. Now, in your answer, did you have reference to James J. Butler?—A. Yes, sir.

Q. As to the two clubs, the St. Louis Club and the Merchants' League Club, that Mr. Butler has just asked you about, you have not heard any opposition between the two clubs since the primaries, have you?—A. No, sir; not since the primaries.

SAMUEL S. FOSTER, of lawful age, being produced, sworn and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. PEERY:

Q. State your name and residence?—A. Samuel S. Foster, 315 Walnut street.

Q. You reside in what was known as the old Twelfth Congressional district?—A. Yes, sir.

Q. The district in which James J. Butler ran for Congress for the short term?—A. Yes, sir.

Q. In what official capacity did you serve at the last election?—A. As judge of election for the third precinct of the Fifth Ward.

Q. I will get you to state if you know of any repeating done on that day in the precinct where you served as judge, or of any men voting falsely or fraudulently.—A. Yes, sir; I know of several that voted falsely; I know attempts were made to repeat there in the start.

Q. You say there were persons there who attempted to repeat and attempted to vote fraudulently?—A. Yes, sir; they attempted to repeat, got in line the second and third time, some of them.

Q. Did you know any of those persons?—A. No, sir; they had voted previous to that; I knew their faces, and they came in the second and third time.

(The contestee enters an objection here to the introduction of this witness and asks that the testimony already given be stricken out on the ground that the contestee has received no notice whatever that this witness was to appear here to-day to testify in a deposition conducted by Eugene Buder, notary public.)

Q. Do you say you know the names of any persons who attempted to repeat or vote fraudulently on that day?—A. They were all strangers to me.

Q. What did you do when these parties attempted to vote?—A. We notified them to get out, ordered them out, and told them they would be arrested if they did not go out, and they went out, as a rule; not only myself, but the other Republican judges did the same.

Q. About how often did that occur during the day?—A. They came in there in bunches of perhaps 12 or 15 three or four times.

Q. They were all strangers to you, were they?—A. Yes, sir; all strangers to me, they all came in line there.

Q. How long have you lived in that precinct?—A. About nine years.

Q. Pretty well acquainted with most of the voters in that precinct?—A. Yes, sir.

Q. I will ask you if you made any attempt to have any of these repeaters arrested?—A. Not a repeater, but a man who attempted to vote under a name that was not entitled to vote; it was not repetition, it was for his vote—fraudulent vote, I called it.

Q. Do you know the man that attempted to vote?—A. No, sir.

Q. Would you know him if you were to see him?—A. No, sir.

Q. Did you object to his casting a vote?—A. I did; I ordered his arrest.

Q. Who did you order to arrest him?—A. The policeman in charge there, one of the policemen—there were two there.

Q. Did you know the policeman's name?—A. I don't know his name, I took his number.

Q. What was the number of his star?—A. 608.

Q. What did the policeman do when you asked him to arrest this man?—A. I

went out on the sidewalk and talked to him about the case and told him I wanted an arrest made, he said all right. He came in and the man was in the booth and I told the officer. I took my seat and the officer went out, and when the man came from the booth to deposit his ballot the Democratic judge handed his ballot to me to put my initials on and I refused to do it, and then I went out again to get the policeman and came in with him. The man was standing by the ballot box and I pointed him out and said, "That is the man I want arrested," and he said "All right." He had to pass between the table and the cigar case, a man got in between there and stopped him and put his hand on the table and the cigar case, and got in front of the policeman and kept hunching him and the Democratic judge helped him, and the Democratic judge said "Run out the back door and get away," and he did.

Q. The Democratic judge told this man that was attempting to repeat to go out the back way and run away?—A. Yes, sir.

Q. Who was the man that stood between the man trying to vote and the policeman?—A. He voted afterwards under the name of Seales.

Q. Did you know him personally?—A. I don't know him personally.

Q. Who was the Democratic judge that told this fellow to get away?—A. Monahan.

Q. Do you know his first name?—A. I think James Monahan.

Q. Did the policeman make any attempt to arrest him?—A. No, sir; walked up as far as the man stood and then waited until another officer came in, and in the meantime the man got away.

Q. Did the policemen follow him?—A. They went out through the back door; were not gone very long.

Q. Made no special attempt to catch him?—A. I didn't go that far; not outside of the voting place.

Q. What else occurred there that day?—A. One of the candidates on the Democratic ticket picked up a wad of paper and threw it at me and called me a vile name; hit me in the face with it.

Q. What did he call you?—A. He called me a * * *

Q. Anything else?—A. Yes; told me I would have to sign those ballots or they would put me out and put somebody in that would sign them—put the initials on.

Q. What was the conduct of the Democratic judges and officers that day?—A. Nothing boisterous.

Q. How frequently did that occur?—A. Calling the officer in occurred once and throwing the paper only occurred once, and one of the judges put his hand on me to see if I was armed.

Q. Which one was that—the one that you referred to?—A. Yes, sir.

Q. Monahan?—A. Yes, sir.

Q. What else occurred there that day?—A. That is about all, about the extent of it, as far as I remember now.

Q. Who was the Republican judge that was there with you that day?—A. His name was Henry O'Heim.

Q. Do you know of any other irregularities on that day?—A. Not that I think of now, unless it was irregular to sign the initials on the ballots before the polls were opened. The Democratic judge's initials were on all ballots before the polls were opened that morning.

Q. Whose initials were on the ballots?—A. The initials of Monahan, the Democratic judge.

Q. How many ballots—all of them, or quite a number?—A. On all. I didn't see him sign one during the day of election.

Q. The ballots already had their initials on?—A. Yes, sir.

Q. When was that done, do you know?—A. I don't know.

Q. When did you first notice it?—A. When we opened up in the morning.

Cross-examination by Mr. BUTLER:

Q. When did you put your initials on the ballots?—A. Before putting them in the box.

Q. It seems to me I heard you state a moment ago that you gave a ballot to a man, and that when he presented it to vote that you refused to put your initials on?—A. That was the man I wanted arrested.

Q. Did you give him the ballot?—A. Yes, sir; he went in the booth with it.

Q. Why didn't you have your initials on it when you gave it to him?—A. I did not put it on.

Q. Why didn't you? Don't you know that was a violation of your oath and duty as judge of election? Don't you know a ballot should not be given to anybody before your initial is placed upon it?—A. I was told that afterwards.

Q. You made up your mind that you would not put your name on the ballots until

they were going to put them in the box?—A. I put them on before they went in; yes, sir.

Q. You signed none of them in advance—put your name on no ballot in advance?—A. I did in cases; yes, sir.

Q. Is it a fact that the majority of the ballots that you gave out had no initial on when you handed them out, except that of the Democratic judges?—A. Yes, sir; that is right; I put them on when they were cast.

Q. But not in advance?—A. No, sir.

Q. Then you did not obey the instructions and law as you were sworn to do in reference to the initialing of the ballots?—A. I did as near as I knew how; yes, sir.

Q. If you didn't put your initial on the ballot in advance, how could you expect the voter to obey the law as he is instructed to do; in other words, how could you expect him to fold the ballot, showing the initials of the judges?—A. He did show the initial.

Q. How could he, if yours was not on it?—A. He showed one on it.

Q. You thought it was all right whether this was all right or not?—A. I didn't think it was all right to have them signed before they came there.

Q. Don't you know they were not signed until after the polls were opened?—A. I know it was not.

Q. Don't you know it is a common occurrence to sign up hundreds of them at a time, and it is done by both judges, before the ballots are handed in?—A. No, sir; I don't know that.

Q. How many men are you in a position to positively swear now voted fraudulently at that election?—A. Well, I will swear that one man did.

Q. Who is he?—A. I don't know his name.

Q. What name was he voting on?—A. Foley.

Q. What Foley was it; do you remember the full name?—A. J. M. Foley.

Q. That is the name he offered to vote on, is it?—A. That is the one.

Q. Don't you know, as a matter of fact, that that was the man's name and he was a resident and lived at the Erie House in that precinct?—A. If I did I would not have ordered his arrest.

Q. Don't you know you were mistaken?—A. No, sir; I do not.

Q. Don't you know you thought he was voting on the name of John J. Foley?—A. No, sir; I know him; he voted ahead of him.

Q. You are sure this man that wanted to vote on the name of John M. Foley was not John M. Foley?—A. I know it was not.

Q. Do you know John J. Foley?—A. No, sir.

Q. How do you know then?—A. Because the registration books have both the same signatures—John M. Foley at the Erie House, and John Foley down on Broadway.

Q. How could that be?—A. I don't know how, but it was so—it was the same handwriting.

Q. Are you an expert on handwriting?—A. Hardly; no—

Q. That was your only motive for saying he was a fraudulent voter?—A. I asked him to write his name and he refused to do it.

Q. That was your only motive; because the signatures looked alike to you; you did not know this man personally?—A. We had a right to ask him to sign his name.

Q. Did you know this man personally?—A. I did not know him.

Q. You do not know John M. Foley, either?—A. I don't know John M. Foley.

Q. And your only motive for making up your mind that he was a fraudulent voter was that the signatures looked to your expert eye as similar?—A. And his refusal to sign his name when called upon to do it.

Q. Is that sufficient ground to charge a man with fraudulent voting because he refused to accede to a demand of a Republican judge to sign his name?—A. I don't know.

Q. How many votes do you think you could cast in a precinct if every man that came in against whom a Republican or Democratic judge either had a suspicion, or felt like making an exception to, was compelled to sign his name, how long do you think it would take to carry on an election?—A. It would take a long time.

Q. Don't you know, as a matter of fact, that John M. Foley, the man that you claimed was a fraudulent voter did not refuse to sign his name personally?—A. He did refuse to sign his name.

Q. Wasn't he about to sign his name?—A. Not until he refused to do it was it that I told the policeman I wanted him arrested, and he ran out the back way then through the orders of Monahan.

Q. Would you know the same John M. Foley if you saw him?—A. The one that ran out?

Q. The one that you say tried to vote the name of John M. Foley.—A. The one that ran away, you mean?

Q. I don't know whether it was he or not; I was not there. That is the only man that you are willing to swear voted fraudulently there that day?—A. No; another man came twenty minutes afterwards and voted the same way.

Q. Why did you let him vote?—A. It was almost a groundhog case.

Q. You succeeded in making the other fellow run out the back door?—A. I didn't do it; Monahan did that.

Q. Did the second man vote?—A. The second fellow that came in under that same name?

Q. Yes.—A. Yes; he voted.

Q. Did you challenge him?—A. No, sir.

Q. I thought you said a moment ago that you did challenge him?—A. Challenge him? We asked his name—whether his name was Foley. There was a good deal of a rumpus kicked up there then. I think that is the time that paper was thrown in my face.

Q. Do you swear that man was a fraudulent voter?—A. Yes, sir.

Q. According to your theory neither one of the men that offered to vote on the name of John M. Foley was John M. Foley?—A. That is my opinion.

Q. What reason had you for doubting the second man?—A. There was not any John M. Foley there.

Q. Wasn't John M. Foley on the book?—A. Yes, sir.

Q. Why did you make up your mind that the second one was not John M. Foley as long as you had made up your mind that the first one was not?—A. Because he was there on the sidewalk when the first one attempted to vote.

Q. You made up your mind that no John M. Foley would vote in that precinct that day?—A. That was my opinion; yes, sir.

Q. Did the second man offer to sign his name and prove that he was all right?—A. Not to my knowledge.

Q. Did you on that day accost a young man named Luders as a fraudulent voter also, and ask him to sign his name?—A. No, sir, I know what you are referring to. A body of men, five or six, were standing there, and, looking off the book, I pointed my finger at the wrong man.

Q. You picked out the wrong name?—A. It is like calling you Moriarity instead of Butler.

Q. You grabbed hold of him?—A. No, sir; I did not grab hold of him that day.

Q. Don't you know it was not a fraudulent voter, Luders?—A. Certainly I do.

Q. Don't you know you tried to compel him to sign the name of John M. Foley?—A. No, sir; you have got that wrong.

Q. Those cases that you mentioned are the only ones that you are willing to swear were, according to your idea, fraudulent voters?—A. Except those that came in line and attempted to vote and were ordered out and went out.

Q. They did not vote?—A. They did not vote.

Q. This vote that was voted on the name of John M. Foley, do you know whether that was a Democratic or Republican vote?—A. He was brought in there by a Democratic candidate; I suppose he was a Democrat; he brought in a bunch of voters.

Q. How do you know a Democratic candidate brought in a bunch of voters, did he have a tag on them, or a bell on them?—A. No, sir; he didn't have no bell on them.

Redirect examination by Mr. PEERY:

Q. You say you did not challenge or insist on this second man that came in to vote on the name of Foley, signing his name because a rumpus was kicked up. What was the rumpus?—A. That was the time the paper was thrown in my face and a Democratic judge picked up a handful of ballots. I refused to give them a ballot, and he picked up a handful of ballots and slammed them down on the table and made a good deal of commotion around there, and they were threatening to put me out at that time and I told them I was ready to go.

Q. Who threatened you?—A. The Democratic judge.

By Mr. BUTLER:

Q. Did you sign the returns?—A. Yes, sir.

Q. All of them?—A. Yes, sir.

Q. Went to the election commissioners' office with them?—A. Yes, sir.

Q. Did you make any protest there?—A. No.

Q. To anybody?—A. No, sir.

Q. In the election commissioners' office as to any fraud that had been going on down at that polling place?—A. No, sir.

Q. None whatever?—A. No, sir.

By Mr. PEERY:

Q. Why did you sign them?—A. Because I supposed it was my duty to sign them.

PHILIP SCHAUB, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. PEERY:

Q. State your name and residence.—A. Philip Schaub, 201 South Main street.

Q. That is in the Twelfth Congressional district, is it?—A. Yes, sir.

(The contestee objects to the introduction of this witness for the reason that the contestee has received no notification whatever, as required under the United States statute, as to the intention of the contestant to take this witness's testimony at this time.)

Q. In what official capacity did you serve on last election day in St. Louis?—A. I was judge of election.

Q. What precinct?—A. First precinct, Fifth Ward.

Q. You served as Republican judge, did you?—A. Yes, sir.

Q. Did any trouble occur at the polls that day where you served?—A. A little, not very much for election day.

Q. What happened; tell us what trouble occurred there and how it came about?—A. Everything went on smoothly until about noon; the voting went on peaceable with the exception—every side wanted to do the right thing with the exception of what I may call the Democratic judge, he—I suppose he wanted to get as many votes as he possibly could for his party on his side, and what I would call or say the population down there is not very bright, they were asked by the Democratic judge, "What ticket do you want to vote?"

Q. What did you say is not very bright, the population?—A. I mean in such matters as to make out a ticket and vote, and to be sure the Democratic judge asked, "Well, what ticket do you want to vote and be sure you make out the right ticket."

Q. Asked whom, the voters as they came in?—A. Yes, sir, exactly; the voters. There was no objection raised to that with the exception of going and asking them what we might call intimidating, asking, "You know what to vote?" "Well, yes," or "No," as the case may be. Well, there was one exception, he came in and he said—he stepped in the booth and he turns around just like he was lost, I asked "What ticket do you want to vote?" He turned around and looked around, "What ticket do you want to vote?" "I want to vote the Republican ticket." I says to Mr. Walters, "You go on and fix him up," and he had a right to.

Q. Was Walters the other Republican judge?—A. He was the other Republican judge.

Q. And this man said he wanted to vote the Republican ticket?—A. This man said he wanted to vote the Republican ticket and the Democratic judge he steps up in the booth with Mr. Walters and there was a wrangle. Finally he got the fellow warmed up in such a way that he said he would vote the Democratic ticket.

Q. Who was it stepped up to him and got him warmed up?—A. Walters and the Democratic judge.

Q. What did the Democratic judge do and say?—A. Whatever they done there it finally turned out that he voted the Democratic ticket. I said, "That is not fair, and that ballot should not be allowed to go in the box," and he said, "It would go in the box anyhow, and I was the man that should put the numbers on the ballot, and he put the numbers on the ballot himself and put it in the box, not regarding my protest."

Q. Did the Democratic judge make out the ticket?—A. The Democratic judge made out the ticket.

Q. And put it in the box. Is that what you said?—A. I said the man got excited, and he did not know what he did want to do, and I have got witnesses to bear me out that as he stepped into the polling place he wanted to vote the Republican ticket. I never interfered at any time with anyone that wanted to vote the Republican ticket. If he wanted to make out the ticket or tear it off, or what he did, with the exception of this one man, and he claimed he wanted to vote the Republican ticket, and that was what was done.

Q. What happened after that?—A. I said that ballot should not go in the box unless it is legal. I want to see the man say openly and truly what ticket he did want to vote. In the first place he said he wanted to vote the Republican ticket and then changed to the Democratic ticket. I want to see whether he will substantiate

that or not, and there was no chance. I wouldn't put the number on the ballot until he said. The man was told to go; that he was all done. The Democratic judge put the number on the ballot and put it in the box himself.

Q. Then what happened?—A. I stood alongside of the Democratic judge, and he got so mad that he hauled off and hit me in the mouth.

Q. What happened then?—A. Nothing; nothing happened, because I knew if I hauled back at him right there I would have got the worst of it, and I would rather leave the place without having a spoiled face. Of course, I knew what was going on.

Q. What made you think you would get hurt?—A. Because I had nobody on my side.

Q. What made you think it best for you to keep still?—A. Because I seen the situation.

Q. What was the situation?—A. The situation that I saw was we had no chance.

Q. Why?—A. Why? Because the other side carried the place; that is the way I looked at the situation.

Q. Who do you mean by the other side; who was there?—A. The Democratic party—the judges; especially the one that had charge of the ballot box.

Q. What else happened there?—A. There was, I guess, out of 100 votes cast that the Democratic judge—I guess the Democratic judge—he had the ballots and tore them off the list as they came in; if they wanted to vote the Democratic ticket he had the right to do it, as well as a man that wanted to vote the Republican ticket; I had the right to do the same.

Q. Did you sign the returns?—A. I signed the returns.

Q. Did the other Republican judge sign them?—A. I signed them in the city hall.

Q. You did not sign them down at the polling place?—A. At last we was hauled up in the hoodlum wagon or the patrol wagon, as they called it; that was the time when they came to the amendments. "What do you think of the amendments? Do you think we want to count them, or take them as a whole?" I said, "I believe we ought to count them; it is our duty." "What in the hell," and all such things, "do you want to sit here all night to count them?" Just then the officer stepped in, "Come on and get on the wagon." The wagon was standing outside, and the matter was fixed up in the city hall, the last of it.

Q. You say you refused to sign, and while you were refusing to sign the officer said, "Come on and get in the wagon," and you were taken to the city hall and it was fixed up?—A. We had not got to that, we had just got to the amendments; he asked me whether I insisted on counting the amendments.

Q. They did not want to count them, is that it?—A. I said out of the whole bunch there is not half or one-third that is either yes or no for the amendments, because the ballots was torn off and put in the box as they were.

Q. Who was it that did not want to do the counting?—A. The Democratic side.

Cross-examination by Mr. BUTLER:

Q. You did not refuse to sign the returns, did you?—A. No, sir; when we got to the city hall they said we had not finished our work and we had to do it there or else it would not be accepted.

Q. Then what occurred?—A. The Democratic clerk, he done some writing there, and after he got through with that why it was accepted and we was told to sign and we done it.

Q. You signed?—A. I did.

Q. You made no objection to signing?—A. No, sir.

Q. The case that you refer to where the Democratic judge assisted the Republican judge in preparing the ballot—that is the only irregularity that you noticed there that day?—A. Yes, sir.

Q. Don't you know, as a matter of fact, that this man agreed to vote the Democratic ticket?—A. Sure; I am aware of that.

Q. He did agree to vote the Democratic ticket?—A. I had no right to object to any man that said he wanted to vote the Democratic ticket.

Q. This is the man where you state that the judge jumped up and went to Walters and they had a squabble about a vote?—A. This man did not know how to vote, like a good many that occurred.

Q. You saw him standing in the booth and you took it for granted he did not know what he was doing?—A. He turned around.

Q. And you made it your business to inquire how he wanted to vote?—A. I did.

Q. Did the man tell you before that he did not know how to read and write?—A. He said he wanted to vote the Republican ticket.

Q. He did not say that until after he was in the booth?—A. Yes, sir.

Q. Before he was in?—A. No; that was after he was in the booth.

Q. That was after he received the big ballot?—A. Yes, sir.

Q. Then you saw he was in doubt in the booth and you thought you would inquire how he wanted to vote?—A. Yes, sir; exactly, like everyone else.

Q. He had never asked you for any assistance?—A. No, sir.

Q. And he said he wanted to vote the Republican ticket?—A. Yes, sir.

Q. You thereupon sent a Republican judge to give the assistance?—A. I did.

Q. He had not asked for it?—A. He said he could not make out the ballot—that he wanted assistance.

Q. Then the Democratic judge went to the booth?—A. Yes, sir.

Q. Was there any force used on this man, or anything of the kind?—A. The way it turned out, when they came out there was dissatisfaction; finally he said, "I will vote the Democratic ticket."

Q. Then he did vote according to his choice?—A. I suppose he did; whether it was falsely or how it was I couldn't say; nevertheless he turned around and said he voted the Democratic ticket.

Q. Don't you know that the ballot of this man who could not write should have been fixed up there in the presence of the Democratic judge?—A. That was the whole trouble, where the Democratic judge made it his business to walk up to the booth, to which I objected—

Q. Don't you know, where a voter is ignorant he may say which ballot he desires to vote, but all the judges have a right to see the way a ballot is fixed for him?—A. Has the Democratic judge any right to walk to the booth and speak to a man whether he calls for him or not?

Q. He has the same right as the Republican judge to see how the ballot is fixed.—A. I told him time and again, "Don't do that; if he needs assistance let him come to you or to me," and when this man said, "I want to vote the Republican ticket," I promptly said to Walters, the Republican judge, "You see to this man," and the Democratic judge walked up to the booth at the same time, and that is where the wrangle ensued.

Q. That was all the trouble that day?—A. That was where the trouble of that was. I said that was unjust to me and I gave in to everything, and when he came back and the Democratic ticket was voted for I said "That is not fair," and he got mad and hauled off and hit me in the mouth. I said to him afterwards, "You are very quick in hitting;" I said, "If I was as hot tempered as you there would be a fight here."

Q. You were not afraid of him?—A. I don't think I was, but I know the result; I would be tramped on if I struck back at him.

Q. But don't you know you were not afraid of him?—A. I am afraid of no man, and he apologized to me since and he said he done wrong.

Q. That was the only trouble there that day, everything else went on smoothly, as you have stated before?—A. Everything went on smoothly.

Q. And that was a very quiet day for election day?—A. We had no trouble because I did not attempt to have any trouble, only this one judge made himself a little bit too obnoxious. I don't know how it was, I don't care whether black or white, Irish or Dutch, he said "What do you want to vote?" "I want to vote the Democratic ticket," and I wouldn't object then.

Q. They are a very ignorant lot of people living in that precinct?—A. I don't know.

Q. A lot of people that can't read or write?—A. I guess so; whenever they asked a Democratic or Republican judge to make out a ballot, that shows very plainly that they are not very bright.

Q. That is a little duty that both Democratic and Republican judges very much like?—A. Yes, sir.

Redirect examination by Mr. PEERY:

Q. Was there any force used on this man? The force was used on you by the Democratic judge, wasn't it?—A. I suppose so; some men are quick in striking another man.

Q. Was the force used on you? Answer the question.—A. Certainly, it was.

Q. What was his name?—A. His name was Lavin.

By Mr. BUTLER:

Q. This judge that struck you, was that Lavin?—A. I think it was.

Q. He was a little bit of a fellow?—A. He is taller than I am.

Q. He only weighs about 130 pounds—rather consumptive-looking fellow?—A. He didn't appear to me to be a rather consumptive-looking fellow.

Q. How much do you weigh?—A. One hundred and seventy-five or 180. That does not cut any ice; you know these little skinny fellows can do a great deal. I only say to you, Mr. Butler, if I strike back at him I thought there would be a general row.

By Mr. PEERY:

Q. Who would have gotten the worst of the row?—A. There would not have been only one jump at me, I guess the police and the whole shooting match—I wouldn't say the police would, but I guess they would have arrested me before anybody else. That is something that did not occur, so we need not talk about it.

JOSEPH I. WALTERS, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. PEERY:

Q. What is your name and residence?—A. Joseph I. Walters; 218 South Second street.

(The contestee objects to the introduction of this witness for the reason that the contestee has received no notification of the desire or intention to take his testimony before this notary, Eugene Buder, and the contestee is not prepared at this time to enter into the examination of the witness properly; that the contestee is entitled, under the statute of the United States, to one full day's notice of the taking of such deposition, exclusive of the day of service, and the contestee has not received any notice whatever.)

Q. In what precinct, ward, and Congressional district do you live?—A. The Fifth Ward, first precinct, and Twelfth Congressional district.

Q. Were you a judge on election day in the first precinct of the Fifth Ward?—A. I was.

Q. Did you see any disturbance at that polling place on election day?—A. I seen my assistant judge hit in the mouth, knocked down in his chair.

Q. Tell us how he happened to be hit—tell us the occasion of his being struck.—A. Simply a dispute when the Democratic judge, as a party came in, said, "How do you want to vote, the Democratic or Republican ticket?" He said, "I want to vote the Republican ticket?" He said, "You do?" My partner got up and said to him, "You have no right to interfere with that." He asked for what. He said, "Can you make out your ticket?" He said, "I would like to have a little assistance on that," something to that effect; that may be not the words, and he goes in and makes up the ticket.

Q. Who did?—A. That was the Democratic judge, and when he got up he said, "That is not honest, not treating us honest." We had been getting along all right up to that time. Once in a while I had a squabble when he would grab a man and take him to make out his ticket.

Q. Who do you mean by "he?"—A. When a man comes in—

Q. Who do you mean—the Democratic judge?—A. The Democratic judge. He always insisted on taking charge of the voter and making out his ticket. No matter who he was, how many voters came in, that was the first question he asked him.

Q. What was the judge's name that did that?—A. James Lavin.

Q. What happened after that, after he came out of the booth?—A. Nothing, only he cast his vote. They had this squabble about it after, and he hit him in the mouth and knocked him down. I jumped up and said, "Here, let us have peace; we don't want trouble in this precinct, of any precinct in this ward," in old times it was said to be kind of rough, "Let us see if we can't have the quietest election of any precinct," and I was snatched and thrown down. They said "You get away; you can't hit that judge." I had no idea of hitting him.

Q. Who grabbed you?—A. Paddy McDonald. He said "Don't hit that man;" I said "I haven't the least idea of hitting him. Let us keep peace; let us have a quieter precinct than any one in the Fifth Ward."

Q. What was the occasion of the Democratic judge hitting the Republican judge?—A. Only the squabble about this man wanting to vote the Republican ticket.

Q. What did Schaub do?—A. "You have no right to interfere with that man; if he wants to vote the Republican ticket you interfered there." In one sense he intimidated the man into voting the Democratic ticket.

Q. Schaub was contending the man had a right to vote as he wanted to vote?—A. Yes, sir; as he said he did when he came in.

Q. Any other trouble happen through the day?—A. Not of consequence; just jowering one another.

Q. Did you see anybody attempt to vote illegally?—A. No, sir.

Q. Or know of any repeating?—A. Knowingly, I did not.

Q. Did you sign the election returns?—A. No, sir.

Q. Why not?—A. Simply because when they dumped it out of the box they counted the Democratic tickets by the heading, "Democratic ticket," and Repub-

lican tickets the same way, and many others. They said, "The police want the returns, let us make out the returns from the heads of the tickets, Democratic ticket and Republican ticket," and we signed that return for the police. After that they wanted me to sign the return and just call them the same thing and let it go at that; "We ain't going to stay here all night." I said, "You will count every scratched ticket in this box, no matter what they are, amendments and all." "Do you think we are damned fools to stay here all night?" I said, "I won't sign the returns unless you do."

Q. Who did that?—A. The Democrats, Sport Healy and Lavin. I refused to sign the books on that account. They refused to count the tickets over and give us what I call a regular turn, verify the ballots.

Q. Did you go with the rest of them in the hoodlum wagon?—A. No, sir; I did not. I left the shop.

Q. You got away, did you?—A. Yes, sir.

Cross-examination by Mr. BUTLER:

Q. Were you at the polls all day?—A. All day.

Q. Did you leave there during the evening at all?—A. I believe the only time I left was to eat dinner.

Q. How long were you gone?—A. Probably half an hour, something in that neighborhood.

Q. Was that during the time the ballots were counted or not?—A. No, sir; that was at noon time; if I left any time after that I don't remember; I might have left a few minutes when there was no voting going on.

Q. Are you a drinking man?—A. I take a drink; yes, sir.

Q. Did you drink much during the day there?—A. I don't know as we drank any too much; might have taken a drink, possibly.

Q. One drink?—A. I don't say one.

Q. How many did you take?—A. That is another question I can't answer; if you asked me that evening probably I could have answered it.

Q. Have you any idea how many you took?—A. No, sir; I didn't keep any tab on it.

Q. What were you drinking during the day?—A. Principally beer, I believe.

Q. How often did you leave the polls for that purpose?—A. That is a question I can't answer.

Q. You said a moment ago you only left the polls once during the day, and that was for half an hour to go to your supper.—A. I didn't say supper, I said dinner; I won't say I did not go to supper, but I don't remember positively.

Q. Do you remember how many times you left to get a drink?—A. I don't remember now; no, sir.

Q. Did you drink anything else but beer during the day?—A. That I can not say positively; I think we drank principally beer; that is all I can remember.

Q. What else did you drink—drink any whisky?—A. I think I took a cigar.

Q. I ask you did you drink any whisky?—A. Did I drink any whisky? I drink whisky.

Q. Did you drink any on that day?—A. I don't doubt but what I did, I won't say positively, but I might have done it.

Q. Do you know how much whisky you drank on that day?—A. No, sir; I did not measure it.

Q. Is your recollection clear on everything that happened that day?—A. I won't say it is positively clear on everything, no.

Q. It is perfectly clear, however, on the subject—A. That was something that would impress itself on any man's mind, things I have given testimony to now.

Q. Do you know of anything that is more likely to impress itself more on your mind than the extent of the liquor or beer that you drank in a day?—A. Yes, sir.

Q. What?—A. When I see my judge knocked down there, I think that would.

Q. Are you pretty sure the judge was knocked down?—A. He was hit in the mouth and sat down in his chair.

Q. That was different.—A. He don't have to fall on the floor and sprawl out.

Q. Were you knocked down?—A. No, sir.

Q. You testified you were, in your direct examination.—A. No, sir; I said I was grabbed and thrown away, and he said, "You don't hit my judge."

Q. Were you attempting to strike the Democratic judge at that time?—A. No, sir; I was simply trying to say "Stop this fuss, we don't want any wrangling in this precinct, we want it said, 'This is the old precinct, in times past it has been rough' and we want to see it one of the quietest in the ward, let us have it that way;" that is about the sense of the words I used.

Q. It was one of the quietest precincts in the ward aside from the little squabble?—
A. I have not heard the testimony from the rest.

Q. Do you have to hear the testimony of the rest before you are able to say?—A. I was not at all the precincts and I can't say.

Q. I say your precinct, wasn't it quiet on the whole?—A. Generally speaking, yes, above the average in times past.

Q. You know a great number of the voters in your precinct?—A. A good many of the old voters, yes, sir.

Q. Did they all vote on that day?—A. No, sir; a good many did not vote that day.

Q. They were Republicans, were they not?—A. Democrats, Republicans, Socialists, and Labor party. I know some did not vote at all on any ticket.

Q. You noticed there was a number of old Republican acquaintances of yours that did not vote on that day?—A. I would say there were some.

Q. About how many in that precinct?—A. That is a question I can not answer; I don't pretend to say; I can't keep tab on all that did not vote.

Q. The vote fell off a great deal in that precinct to a remarkable extent. Isn't it a matter of fact that aside from the blow that was struck at the Republican judge, a purely personal encounter between him and the other man, that everything else was perfectly quiet there during the rest of the day?—A. We would have once in a while a jower about his interfering with voters; he would say, "Do you want to vote the Democratic ticket?" We wouldn't say anything, except I said, "You have no right to interfere with that man and ask him any such question; if he comes in here and wants to vote and gives his name, look over the list and if his name is on the list give him a ballot, and you have no right to ask him such a question." That was the squabble all day long.

Q. Was the greater portion of the squabbling due to the fact that you would not initial the ballots properly?—A. They was all initialed and laid alongside the ballot box, both judges, the Democratic and Republican judge, had them initialed and laid four or five down all the time; just kept enough for the voters as they came in, no over-supply, as they voted that was the way; but the principal objection was to this Democratic judge simply, as the voter came in, jumping up and saying to him "You want to vote the Democratic ticket, you know you do," and such words; then we would object to his interfering with that voter.

Q. You say you signed the police returns?—A. I signed the police returns.

Q. What do you mean by the police returns?—A. Simply they wanted a report to show how the vote went, if I understood it rightly; this was not a legal report, this was a report to the police for publication, if I understood rightly, to go to the press.

Q. When you signed the police returns had not the ballots all been counted at that time for the officers running on the tickets?—A. No, sir; simply counted the Democratic tickets, 110—99½, I should correct that, and I refused to accept that, there was 99½, and I refused to accept it that way; there was 39 Republican, and, I am not positive, I think 15 or maybe 20 scattered, Social and Labor and that class of tickets; they was all laid out in a pile; he said, "Now, boys, we will make a report on the general returns," that is chiefly the Democratic judges—

Q. Straight tickets?—A. I didn't say straight tickets, we had not counted the scratches on them, just took the headlines only. "We will make this out for the police." I objected to that. They said, "This is nothing to interfere with us; it just gives them a general idea of how the election has gone," so I signed that report to the police. When they did come on to winding it up, I said to count the ballots and count the scratches, and I said, "If you don't do it you won't get my name on these books to-night." They said, "Do you think you are going to keep us here all night to count these ballots as they are scratched?"

Q. They objected to counting the constitutional amendments?—A. They refused to count everything when I left, except the general headline.

Q. When did they count them?—A. That is a question I won't answer, because I was not there.

Q. Why didn't you go to the election commissioners' office with them and see that you performed your duty faithfully to the end?—A. I performed my duty when I refused to count them ballots; I wouldn't stay in there then; when I don't sign my name to it it is not a vote.

Q. Don't you know, as a matter of fact, that from 5 o'clock you were not present in the polls and knew nothing about what was going on there and had nothing to do with the counting whatsoever?—A. From 5 o'clock? No, sir; I don't know it.

Q. Don't you know you left the polls under the influence of liquor at 5 o'clock and knew nothing of what transpired after that time of your own knowledge?—
A. No, sir.

Q. Don't you know that the police officers in the precinct were hunting for you all

around the neighborhood to try and get you back to the polls to do your duty and sign the returns and participate in the count?—A. I know this: After I left the polls, after 7 o'clock in the evening, the police officer, I don't know his name, a little fellow, he stood at the hallway and my wife said: "The policeman is coming up stairs after you." It was after I had left the polls, after the ballots had been counted, 139—

Q. What time was that?—A. About 8 o'clock p. m.

Q. You did not leave there at 5?—A. No, sir; I might have just walked out and stepped in again; to say I left it and stayed away, I did not.

Q. How many scratched ballots were there?—A. I simply say I did not count them; I did not see a scratched ballot.

Q. Did not see any?—A. Understand this, I did not see a scratched ballot, only the one I put in myself.

Q. Why did you say a moment ago that these tickets that were counted were not straight Democratic and Republican tickets?—A. I deny saying that; I say the headlines called for Democratic ticket and Republican ticket.

Q. Don't you know that those were straight tickets, and that is the reason the counts were so made, with the exception of the constitutional amendments?—A. From men that I know since, who voted the Democratic ticket and have told me, men have told me that they scratched your name off the ticket and voted the balance of the Democratic ticket; that must have proven they were scratched tickets; that I don't know of my own knowledge.

Q. How many men told you that?—A. One man; and he said he could bring ten more to prove the same thing.

Q. Who was the man?—A. His name is Francis Miller, 200 South Second street, and he said he could bring ten more of his German friends to say that they done the same thing.

Q. That they voted the Democratic ticket?—A. That is only hearsay on my part.

Q. 200 South what?—A. 200 South Second street.

Q. Do you know what the vote for Butler was in that precinct?—A. I do not.

Q. Do you know what the vote for Wagoner was?—A. I do not.

Q. Do you know what the vote for anybody was?—A. No, sir.

Q. Do you know how many scratched ballots were there?—A. I do not.

Q. Do you know how the constitutional amendments were voted upon?—A. I do not.

Q. Do you know how many straight tickets were in the box?—A. I do not.

Q. Don't know anything about that?—A. Didn't I say here a little while ago I didn't look over them tickets after I counted the headlines over.

Q. Then you did sign the returns for those headlines?—A. For the police department as a press report only, if I understood it right, but not a legal report to the election commissioners' office.

Q. You did not sign anything to the election commissioners' office?—A. No, sir.

Q. The object of the Democratic and Republican judges in your particular precinct, then, was to have the outcome or the result of the election known as quickly as possible, wasn't it?—A. Simply say the Democrats.

Q. Wasn't that the object?—A. They said, "We will count by the headlines only."

Q. To allow the police department to get the return and give it to the press?—A. And even the election commissioners, that is why I refused to sign.

Q. You said a moment ago that it was not for the election commissioners?—A. I said this was signed for the benefit of the police, but later on they said the same thing for the benefit of the election commissioners as a legal report.

Q. You did sign those for the benefit of the police and the press?—A. That was a press report.

Q. Then the object of the Democratic judges there was to get the result before the public as quick as possible, wasn't it?—A. In that case, yes, sir.

Redirect examination by Mr. PEERY:

Q. You did not drink to excess on election day, did you?—A. I don't think I did.

Q. You were not drunk or anything of the kind?—A. Am I drunk now?

Q. I asked you that.—A. I simply say I was not; if I had not known of that I would have signed, probably, those books.

Q. After you went away you say the police officer came down after you?—A. My wife says the policeman was coming up; she was looking out of the window, and I went and looked out, and she said, "The policeman is coming here to take you off;" the wagon was there and she said, "They are coming after you;" but he came in the hallway; he did not come upstairs.

Q. He did not come up for you?—A. No, sir; the polling place is only a few doors from me; the policeman did not come up for me at all.

At this point, not being able to continue the taking of these depositions by reason of the absence of witnesses, I adjourned the further taking of the same until 10.15 a. m., Saturday, December 20, 1902, then to be resumed at the same place and between the same hours.

ST. LOUIS, *December 22, 1902.*

Pursuant to adjournment as above stated on this, 22d day of December, A. D. 1902, at 2 o'clock p. m. I continued the taking of said depositions as follows:

JOHN BONGARTZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. PEERY:

Q. State your name and residence.—A. John Bongartz; residence 3729 Manchester avenue.

Q. That is in the thirteenth precinct of the Twenty-third Ward, is it?—A. Yes, sir.

Q. How long have you lived at that place?—A. Ten years.

Q. What business is conducted at that number?—A. Saloon and boarding house.

Q. I will ask you if you know how many men there are registered from that number purporting to be registered voters?—A. I couldn't tell you.

Q. I will ask you to look at this list of the registered voters of the thirteenth precinct of the Twenty-third Ward.

MR. WALSH. We object to the introduction of this list as a list purporting to be an official list of anything, on the ground that it has not been presented in evidence as an exhibit.

Q. After examining this list, how many do you find registered from 3121?—A. I don't know these gentlemen at all.

Q. How many do you find registered there? Did you count the number?—A. I counted the names. There are 23.

Q. Twenty-three, you find, registered from that number?—A. Yes, sir.

Q. I will ask you now how many lived there?—A. In our place?

Q. Yes; how many voters lived there at your place?—A. I don't know that there was any voters or not in the house where they voted.

Q. Do you know how many voted from that number at the last election?—A. No, sir; I do not.

Q. Did you have as many as 23 boarding there at that time?—A. No, sir; didn't have that many.

Q. About how many did you have?—A. Well, about 10 voters at that time. I am sure about 10; 10 or 12. I wouldn't say for sure, but 10 or 12, anyway.

Q. Do you know Ed. Hanley?—A. No, sir.

Q. Does he live there?—A. No, sir.

Q. Do you know Christ Lore?—A. No, sir.

Q. Do you know Fred. Miller?—A. No, sir.

Q. Do you know Henry Nagal?—A. No, sir.

Q. Do you know Jene Jeurst?—A. No, sir.

Q. Do you know George Garner?—A. No, sir.

Q. Do you know Charles Albright?—A. No, sir.

Q. Do you know John Benson?—A. No, sir.

Q. Do you know Albert Becker?—A. No, sir.

Q. Do you know Fred. Cook?—A. No, sir.

Q. Do you know Louis Daub?—A. No, sir.

Q. Do you know Charles Denny?—A. No, sir.

Q. Do you know John Denny?—A. No.

Q. Do you know William Engle?—A. No.

Q. Do you know Ed. Foster?—A. No, sir.

Q. Do you know Thomas Majors?—A. No.

Q. John Bongartz—that is your name?—A. Yes, sir.

Q. You live there?—A. Yes, sir.

Q. Gustave Bongartz—do you know him?—A. That is my father.

Q. Do you know G. E. Greely?—A. No, sir.

Q. Do you know Victor Dorfman?—A. No.

Q. Do you know Robert Stock?—A. No, sir.

Q. Do you know A. Schumacher?—A. He did live there, but he went to Germany.

Q. When did he live there?—A. Two months ago.

Q. He lived there before the election?—A. I believe he did.

Q. Charles Winkler—do you know him?—A. He used to stop there about a year ago. He went over to the old country. He is back again now.

Q. Then, out of the 23 men registered from that place you know only your father and yourself?—A. Yes, sir; and those two gentlemen just mentioned.

Q. But they haven't been there for a year?—A. No, sir.

Q. And you and your father are the only two that you know of qualified to vote from that place?—A. Yes, sir.

Q. Did anyone ever come around making a canvass, or did anyone ever tell you to say that so many men of these men lived at your place?—A. Not to me.

Q. Did they to your mother?—A. I couldn't say.

Q. No one ever told you to say these men lived there?—A. No, sir; not to me.

Cross-examination by Mr. WALSH:

Q. What is your own personal business?—A. Barber.

Q. Is your barber shop in the building there?—A. No, sir.

Q. Where is your barber shop?—A. I never had a barber shop; I worked in one place nine years.

Q. Where did you work?—A. At 3434 Manchester avenue.

Q. Do you put in much of your time around 3701, 3, and 5 Manchester avenue?—A. No; I have stayed at home for the last couple of months; I wasn't doing nothing at all.

Q. For the last couple of months you have been there?—A. Yes, sir.

Q. Prior to that how much time did you spend around the place?—A. At home?

Q. Yes, sir.—A. When I was working I used to go to work at 7 o'clock in the morning and go home to my meals and wouldn't be back again until 9 o'clock.

Q. Did you live there continuously?—A. Oh, yes.

Q. What do you do around the house; do you work around the bar?—A. Nothing at all.

Q. There is a bar there, isn't there—a saloon?—A. Yes, sir.

Q. What is the character of the occupation or business of the men who may have been boarding at your father's house?—A. The majority of them are molders.

Q. Those men are of nomadic habits—men who travel around a great deal—are they not?—A. Well, sometimes they stay for two days and go away again, and sometimes stay there five or six months, or a year or two.

Q. They are men who don't remain there for a great length of time, as a rule?—A. No; sometimes they might stay a night and go away again.

Q. You speak of 10 or 12 men who are there at the house, and who are entitled to vote. Do you know who they are?—A. I know who they are, but I can't mention the names.

Q. You can't recall the names of any of them?—A. Not the full name.

Q. Give us some names just as you know them.—A. There is Henry.

Q. Is that his last name?—A. No, that is his first name. I don't know his last name. Then there is Joe and John. I just can't think of the rest.

Q. Do you know any of the others of those 10 or 12?—A. I know them, but I can't call them by name.

Q. Do you know whether that Henry is Henry Hagal?—A. No.

Q. Do you know any Christ there?—A. No.

Q. Do you know any Fred?—A. No.

Q. Do you know any Gene or Eugene?—A. No.

Q. Do you know any George?—A. No.

Q. Do you know anyone by the name of Albert?—A. No.

Q. Any by the name of Louis?—A. No.

Q. Do you know anybody by the name of Charles?—A. No.

Q. Do you know anybody by the name of William?—A. No.

Q. Or Ed?—A. No.

Q. Do you know whether John is John Bongartz?—A. That is myself.

Q. Do you know any by the name of Victor?—A. No, sir.

Q. Or Robert?—A. No.

Q. You don't know what Henry's last name is?—A. No, I do not.

Q. And you don't know what Joe's last name is?—A. No.

Q. As a matter of fact, you know but very little about these men at all, do you?—A. I don't know very much about them.

Q. And Ed Hanley, Christ Lawler, and all these fellows could live there and you not know them?—A. The gentleman just asked me if there was 23, I believe. I am not sure to recognize them by their names.

Q. As a matter of fact, you don't know the names of any of those men who room and board there, do you?—A. No; I don't attend to my mother's business.

Q. You don't pay any attention to that?—A. Not so far.

Q. But these 10 or 12 that you find are boarders there, and there may be that many more and you not know them?—A. Well, I could tell how many people are in the house—if there was 22 or 23 in the house.

Q. In the same way that you would remember their names?—A. I don't know, I never took that much interest.

Q. You never paid any attention to it at all?—A. No.

Q. So you don't know who is there?—A. I know I am there myself and my mother and father.

Q. But outside of that you couldn't speak positively or with any degree of certainty who else is there?—A. If I was attending to that business I would make it my business to get all their names, but so far it is not my business to attend to it.

Q. You don't attend to it, don't get their names, and don't pay any attention to it?—A. No; I pay my board like the rest of them.

By Mr. PEERY:

Q. You live there and make that your home?—A. Yes, sir.

Q. And you have about three rooms outside of the family?—A. Yes, sir.

Q. And you do know none of these 23 names outside of yourself and father that live there?—A. Yes, sir.

By Mr. WALSH:

Q. What you principally know, Mr. Bongartz, is that you don't know anything, isn't it?—A. No.

Q. You don't know anything about this, anyhow?—A. No, sir.

By Mr. PEERY:

Q. You can't know people that don't exist, can you?—A. No.

Q. And you don't know whether they do exist, do you?—A. No.

Not being able to complete the taking of said depositions this day by reason of the absence of witnesses, I hereby adjourn the further taking of the same until to-morrow, December 23, at 10 o'clock a. m.

Pursuant to adjournment as above stated, on this 23d day of December, A. D. 1902, at 10.30 a. m., I continued the taking of said depositions, as follows:

Mrs. ANNIE HARMS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. PEERY:

Q. What is your name?—A. Mrs. Annie Harms.

Q. Where do you live?—A. 3696 Manchester avenue.

Q. Do you know what precinct and ward that is?—A. No, sir; I can't say that.

Q. In what business are you engaged?—A. Keeping boarders.

Q. Keep boarders, do you?—A. Yes, sir.

Q. Mrs. Harms, I read from the list of registered voters of the thirteenth precinct, Twenty-third Ward, for October, 1902. I will ask if James Williams lives at your house?—A. No, sir.

Q. Does John Keefe live there?—A. No, sir.

Q. Does Joseph Nauker live there?—A. Well, isn't it Nauber?

Q. Joseph Nauker?—A. Joseph Nauber stayed a time with us. No Nauker stayed with us; only Nauber; I guess that must have been his name—Nauber; he gave us his name that way.

Q. When did he live at your house?—A. Well, he moved there the 13th of September and he came the first part of October.

Q. Left there in October?—A. He came there in October.

Q. Came there in October?—A. Yes, sir.

Q. Is he there yet?—A. No, sir.

Q. Was he living there on election day?—A. No, sir; he roomed just from Saturday until Monday morning.

Q. Remained there from Saturday until Monday morning in October?—A. Yes, sir.

Q. Then he did not live there election day?—A. No, sir.

Q. R. McCowan, do you know him?—A. No, sir.

Q. Do you know C. W. McVey?—A. No, sir.

Q. Do you know Robert Maley?—A. No, sir.

Q. Do you know Nicholas Kennedy?—A. No, sir.

Q. Do you know Fred Aikins?—A. No, sir.

Q. R. A. Buckner?—A. Buckner?

Q. Buckner.—A. What is the first name?

Q. R. A.—A. Buckner. What is the given name?

Q. It isn't here; just R. A.—A. Well, it is Buckner; I know him.

Q. Did he live at your house on election day?—A. He just roomed there—took a meal there once in a while; worked in North St. Louis and boarded there; worked at the American Car Shops.

Q. Worked there in North St. Louis and boarded there?—A. Yes, sir.

Q. At what time did he take meals at your house; was it before election?—A. It was before election; he wasn't there no time; he would come and go, come and go.

Q. Did he live there and make that his home?—A. Had his clothes there; yes, sir.

Q. When did he leave there?—A. Three weeks ago.

Q. Was he living at your house election day, had his clothes there—was he there election day?—A. Yes, he had the few clothes he had there; he had them on his back mostly.

Q. Do you know Ed Brackett?—A. No, sir.

Q. Do you know William Corcoran?—A. No, sir.

Q. George Cure?—A. No, sir.

Q. Know William Kane?—A. No, sir.

Q. Do you know John Dennis?—A. No, sir.

Q. Do you know Frank Ennis?—A. No, sir.

Q. Do you know John Evans?—A. No, sir.

Q. Do you know William Fenton?—A. No, sir.

Q. Do you know James Connors?—A. No, sir.

Q. Do you know John Moore?—A. No, sir.

Q. Do you know Jerry Sullivan?—A. No, sir.

Q. Do you know J. W. Williams?—A. No, sir.

Q. Do you know James O'Hearn?—A. No, sir.

Q. Do you know P. H. Hartouhn?—A. No, sir.

Q. Do you know D. J. Hayes?—A. No.

Q. Do you know George W. Harkins?—A. No, sir.

Q. Do you know Edward Holland?—A. No, sir.

Q. Do you know William Leva?—A. No, sir.

Q. Thomas Leva?—A. No, sir.

Q. Do you know P. H. McCormack?—A. No, sir.

Q. Do you know Charles Staunton?—A. No, sir.

Q. Do you know John P. Thomas?—A. No, sir.

Q. Then out of all these names I have read to you, you only know R. A. Buckner?—A. Buckner.

Q. Or Buckner?—A. Yes, sir.

Q. And Nauker? You know Joseph Nauker?—A. It is Nauber; it must be, or he spells it otherwise; spells it, maybe, in that way.

Q. You say he stayed there a week?—A. Yes, sir.

Q. Came there in October and went away?—A. Yes, sir; in October.

Q. Mrs. Harms, did anyone ever come to you and ask you to say that these people lived at your house?—A. Only them two. They told me when they came there to say that if anybody should come and ask me if they lived there. Came from the corner.

Q. Two men from the corner told you to say that they lived there, if anybody should ask you?—A. It was them two men—Nauber and Buckner. They told me that if anybody should come, for me to say yes, that they were there that long when they were there. So nobody asked me and I didn't say nothing.

Q. Oh, those men told you to state that?—A. Both of them came in—Nauber and Buckner; both came in and told me that.

Q. Nauber and Buckner told you that?—A. Yes, sir.

Q. Anyone present when they told you that?—A. Nobody there.

Q. Did anybody hear them tell you?—A. Yes; my daughter heard it.

Q. Mrs. Harms, if these men had been living or boarding at your house you would have known it?—A. If they were there and stayed with me, I knew it; yes, sir.

Q. You can say this, can you not, that they did not live there?—A. They did not live there.

Q. Did you ever have that many men in your house at one time?—A. No, sir.

Q. Thirty-one men?—A. No, sir; I didn't have room for so many at once.

Cross-examination by Mr. BUTLER:

Q. Do you know Nauber and Buckner?—A. Yes, sir.

Q. How long have you known them?—A. Well, I knew them a long time.

Q. A long time?—A. Yes, sir; they almost raised folks with us.

Q. Almost raised with you?—A. Yes, sir.

Q. Do you know what their politics is?—A. No; I can't say.

Q. You know—A. I don't pay much attention to that.

Q. What nationality are they?—A. One is a German man and one is not.

Q. Which one of them is the German?—A. Nauber.

Q. You don't know what nationality the other gentleman is?—A. I can't say that.

Q. Can't say that?—A. No, sir.

Q. How many boarders did you have on that day—on election day and prior thereto?—A. Two of my own sons and three strangers.

Q. How many?—A. Two of my own sons and three strangers.

Q. Three strangers?—A. Yes, sir.

Q. Who were they?—A. That was Buckner; he just came in for supper and went off the next morning again.

Q. Who were the three strangers?—A. One was Joseph Noe.

Q. Who were the others?—A. Fred—I have to study the name first; it is a bad name to remember—Fitzgerald.

Q. Fred Fitzgerald?—A. Yes, sir.

Q. What was the name of the other?—A. Well, them two came in; that is all that stayed there at the same time. No, Billy Meyer; that is right; Billy Meyer.

Q. What others?—A. That is all, them two. I didn't have no more.

Q. How many boarders do you usually keep in your house?—A. Only what I tell you; I don't have no more.

Q. Don't have any more?—A. No, sir.

Q. Did you ever have a conversation with anybody in reference to this case?—A. No, sir.

Q. Who called to see you about coming here as a witness?—A. Nobody.

Q. Nobody?—A. No, sir.

Q. How did you come to be subpoenaed?—A. Well, I can't say how.

Q. Was anybody talking to you as to how you were going to testify?—A. No, sir.

Q. Nobody at all?—A. No, sir.

Q. Has anybody spoken to you about the case—anybody whatever?—A. No, sir; nobody about the case, only what I tell you, them two boys came in and told me that if anybody comes and asks me to tell them yes. So nobody came and I didn't say nothing.

Q. What is the name of your two sons?—A. Henry and John Harms.

Q. How old are they?—A. Henry is going to be 28 next spring and John is only 20.

Q. John is only 20?—A. Yes, sir.

Q. Neither of them are registered from your house?—A. No, sir.

Q. Don't they vote?—A. Henry never did vote, so the other one is not old enough.

Q. Do you rent that house yourself, or do you rent in conjunction with anybody else?—No, sir; I rent the house myself.

Q. Rent the house yourself? How large a house is it?—A. I have five rooms in it.

Q. Five rooms?—A. Five rooms, including the kitchen. Four rooms to sleep in and a kitchen.

Q. Is it upstairs over a store? Is there a store in connection with it?—A. No, sir; just a flat.

Q. Just a flat?—A. Yes, sir.

Q. How long have you lived in this city?—A. I have been here two years the 2d day of October.

Q. You are quite positive nobody has spoken to you in reference to this case?—A. No, sir; nobody ever spoke to me, because election don't—such business I don't bother myself with it at all.

Q. Nobody spoke to you this morning in reference to it?—A. No, sir.

Q. Before you testified?—A. No, sir; no more than—talked like we do here.

Q. That is what I want to know. Didn't you have any conversation with anybody in reference to it?—A. No, sir.

Q. This morning?—A. Nothing at all.

Q. Did you have any conversation with Mr. Peery?—A. None at all; I just—just what I have told you.

Q. You did have a conversation with him this morning?—A. Well, that don't amount to much.

Q. Well, answer the question. Didn't you have some conversation with Mr. Peery this morning?—A. Well, I wanted—I know all I want to tell. I knew that all before I left home.

Q. Knew what you were going to say before you left home?—A. Yes, I know what I want to say.

Q. Did you know what you were being brought here for?—A. No, sir; I had an idea.

Q. Who gave you the idea as to what you were being brought here for?—A. My son seen it in the paper; read about this thing, or something.

Q. Did your son and you have any conversation about it?—A. None at all.

Q. None at all?—A. No, sir.

Q. You are quite positive you don't know any of these people at all whose names have been mentioned to you?—A. By their names, I don't know none of them no more than I have been telling you.

Q. Do you know when election day was?—A. Yes; I heard people say it was election day; that is about all I know about it.

Q. How long ago was it?—A. Well, the day of election day.

Q. Well, how long ago was that?—A. Must be the 4th of November, wasn't it?

Q. You are quite sure you had but three people rooming in the house that day?—A. On that day.

Q. None of those three were registered?—A. No, sir.

Mr. PEERY. Were those three people you speak of permanent boarders at your house, or did they just stop there?—A. No, sir; they just—we moved them out there to the place where we were.

Q. Just a short time?—A. No, sir; I had them three all summer—my two sons and Billy Meyer and Fred.

Q. Yes, but your two sons were not voters?—A. No, sir; they didn't vote at all.

Q. Was Meyer a voter?—A. No, sir.

Q. He didn't vote?—A. No, sir.

WILLIAM H. BLAKE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. PEERY:

Q. State your name and residence.—A. William H. Blake, 6258 Columbia avenue.

Q. You are the chairman of the Republican city central committee, are you not?—A. Yes, sir.

Q. At the present time?—A. Yes, sir.

Mr. ROWE. We object to the examination of Mr. Blake before Mr. Buder for the reason that his name appears among the list of names of witnesses that are to be examined before Mr. J. E. Sanders, notary public, no notice was ever given that he was to be examined before Mr. Buder as notary public.

Q. Mr. Blake, state what you may know about any false registration in the thirteenth precinct of the Twenty-fourth Ward?—A. Well, now, the clerks—both the Democratic clerk and the Republican clerk—reported to me that they recommended striking off 112 names. I met Mr. Dolan, who was chairman of the Democratic central committee, in the election commissioners' office, and we had a talk and he agreed to take them off. It was the recommendation both of the Democratic and Republican clerks. Finally he says to me—I asked him—I think I asked him or Dolan, I forget which—asked those two clerks we had there how many notices they had sent out, and they said 40 or 42, I am not sure now, and they ran out of stationery. We discussed the question some time and Mr. Dolan then agreed to knock off 40 or 42. I objected to that because the clerks, both of them, had recommended the 112.

Q. One hundred and twelve or 120?—A. One hundred and twelve or 120, I don't remember which. Anyhow there wasn't any of them taken off. Whether those people were voted or not I don't know; I wasn't judge or clerk. I know there was 112 or 120 names on there that the two clerks recommended that they should be stricken off, and that were not. They were all left on there.

Q. Do you know why, Mr. Blake, they were not stricken off?—A. Well, Mr. Dolan objected to striking off only those that were notified, he said. I objected to striking off 40 or 42 simply and leaving on the balance. I wanted the whole or none, according to the recommendation of the two clerks. I left the gentlemen in the election commissioners' office then, and I am credibly informed that there was none taken off at all.

Q. Do you know whether or not there was any revision made in the thirteenth precinct of the Twenty-fourth Ward?—A. I don't think there was; I am not sure.

Q. Do you know what effort was made to purge the list of illegal names?—A. Well, I made a good deal of effort myself in regard to that. I understand the clerks did not make much of an effort themselves. Still they had made effort enough in recommending the striking off of that many names, but they were left on—112 or 120, I forget which now; I am not certain which it was.

Q. Did you hear of any illegal registration in any of the other precincts of the several wards in the Twelfth district?—A. No, sir.

Q. You had no information about that?—A. No, sir. In the ninth precinct—I

don't know as this is of any interest to you people—but in the ninth precinct, commonly called Dago Hill, I drove up there about 10 o'clock, or perhaps a little later, and my challenger was down across the street in the mouth of a little alley, 100 to 150 feet away. I asked him how he came there, and he said the policeman put him there. I asked where the Democratic challenger was, and he said he was standing in the door of the polling place. I went up and looked, and I saw he had a little ticket in his hand about that long [indicating]—a little, small ticket, and I procured one of them. On that ticket was "Vote the Democratic ticket straight." This man stood in the door handing them to people who came in; the Republican man was 100 to 150 feet away—wouldn't let him anywhere near. Of course I wouldn't object to that if they would only give the other fellows just the same chance; but they wouldn't do it. The policeman told him if he came any nearer he would lock him up. The ticket I procured I gave to Mr. Owens to present here. I don't know whether he has or not.

Q. You got one of the tickets then, did you?—A. Yes, sir.

Q. Handed to you?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. What position do you occupy in the Republican party?—A. I am central committeeman of the Twenty-fourth Ward.

Q. How long have you occupied that position?—A. About three years.

Q. What position do you occupy in the committee?—A. I am chairman of the committee.

Q. Of the city?—A. Yes, sir.

Q. Republican Central Committee?—A. Yes, sir.

Q. Well, previous to the election did you know of any dissensions in the Republican party?—A. Any dissensions?

Q. Yes.—A. Well, it depends on altogether on how you analyze the word "dissensions." Probably in your way of stating it, no.

Q. According to my way of stating it, why, you say no?—A. Yes, sir.

Q. Well, according to your way of stating it, what would you say with reference to that?—A. There was no dissension in the party that I know of; a little dissension in the committee.

Q. Well, the committee represents the party?—A. Don't make any difference what they represent; they cut a very small figure in the case compared to the aggregate of the party.

Q. Well, the committee controls the party or its action usually, doesn't it?—A. Well, sometimes.

Q. What was the dissension in the committee?—A. Well, we simply differed on a proposition, that is all; ways and means of carrying on campaign.

Q. Do you know anything about the nomination of Mr. Loffhagen?—A. No, sir; I don't.

Q. Do you know anything about any suit that had been instituted in the supreme court with reference to who were the proper controlling members of the Republican party and who were not?—A. Well, I know no more than any other man; simply read it in the paper. I am not a party to that suit and paid no attention to it.

Q. Were you a party to any of that litigation?—A. No, sir.

Q. Now, you made the complaint, I think it was, about the ninth precinct, was it?—A. Yes, sir.

Q. In that ward?—A. Yes, sir; the Ninth.

Q. In your ward?—A. Well, I was talking to you about the thirteenth and the ninth.

Q. I was talking about the ninth. That is the one you referred to secondarily?—A. Yes, sir.

Q. Your only complaint with reference to the ninth precinct is that somebody told you—A. No, they didn't tell me.

Q. Didn't they?—A. Oh, no.

Q. What was it you said that your challenger said with reference to the police telling him that he had to remain away?—A. About the police telling him he had to remain away?

Q. Yes?—A. He told me that. I saw him there and he said he had to stay there.

Q. You saw him there, but you didn't know anything about any policeman giving him instructions or giving him any command with reference to that matter, do you?—A. Only what the man said; I know nothing about it.

Q. That is all you know with reference to that?—A. Yes, sir.

Q. And you say you saw, yourself, I believe, that some party who claimed to be a Democratic challenger had a slip or a paper in his hand which stated, "Vote the straight Democratic ticket?"—A. He had a little ticket. It was printed.

Q. You didn't see any irregularity there?—A. Oh, no; no, I am not speaking about that.

Q. You don't know any fraudulent vote that was cast there?—A. No, sir.

Q. At that precinct?—A. No, sir.

Q. Well, what was it that occurred at the thirteenth precinct?—A. The thirteenth precinct, as I have stated here, it was reported by the two clerks that 112 or 120, I am not positive which, should be stricken from the list. Mr. Dolan and I had a conversation on that line and we agreed to purge the list of all voters that were not regular. Then there came a discussion in the commissioner's office in regard to letters that had been sent out. I think Mr. Dolan claimed there was 40 or 42, I am not sure which. He did not propose to have any stricken off, only just those that the letters had gone to; not all that the Democratic clerk had recommended be stricken off. I wanted them all off, the 112 or 120, and he opposed it and they remained there. Now, whether every one of them was voted I don't know.

Q. But don't you know that you and Mr. Dolan could not agree to strike anybody's name off?—A. Don't I know that the clerks could strike them off, sir, if they wanted to, after they had canvassed the precinct?

Q. Do you know it?—A. Yes, sir.

Q. Do you know that the clerk or the clerks or the judges could strike off a name?—

A. By recommendation of the clerk; yes, sir.

Q. Don't you know that the duty of the clerk or clerks and the judges is simply to notify?—A. Notify who?

Q. That party; the one that they claim has been improperly registered, to come in and show cause why his name should not be struck off?—A. Yes; they claim to have canvassed the precinct for that purpose.

Q. Did you get any notice of having been—— A. I don't know whether they sent out one or ten or a hundred of them.

Q. Who were the judges and clerks of election?—A. Mr.——

Q. In the Thirteenth precinct?—A. Mr. Sherman is one of them—William Sherman.

Q. A Republican?—A. Yes, sir.

Q. You knew he was a Republican, didn't you?—A. Most assuredly I did. That is, I simply—he told me so.

Q. Well, you had every reason to believe him when he told you that?—A. Yes, I had.

Q. Just the same as he would believe you if you told him you were a Republican?—A. Yes; I had every reason to believe what he told me, same as I did the fellow when he was down 150 feet away from the polls, that the police had put him there.

Q. Same thing?—A. Yes, sir.

Q. Who was the other Republican judge?—A. I can't remember his name. I don't know.

Q. And who was the Republican clerk, do you recollect?—A. No, sir; I can't tell you now what his name was.

Q. What is your business?—A. I am superintendent of the United States Indian warehouse.

Q. How long have you been in the business?—A. Ever since it was organized in July.

Q. What year?—A. This year—1902.

Q. What was your business before that time?—A. I was one of the clerks in the collector's office.

Q. What office is that?—A. Collector's office at the city hall, collecting taxes, up to the time that Mr. Hammer took possession.

Q. What position did you occupy before that time?—A. I am a bricklayer by trade.

Q. What is your vocation independent of your trade?—A. My vocation independent of it?

Q. Yes?—A. Well, I don't know. I have no particular vocation.

Q. What were you before you were a bricklayer?—A. I was a boy.

Q. Were you?—A. Yes.

Q. Were you ever a preacher?—A. Well, that is a question, sir; that is none of your business, now; just let me tell you that.

Q. Well, I just simply asked you if you were ever a preacher?—A. Before I was a bricklayer I was a boy. Before I was born—I don't know where I was.

Q. Well after you were a bricklayer did you become a preacher?—A. That is none of your business, what I became then; it is what I am now.

Q. No; I want to know what you were.—A. Well, that is none of your business.

Q. You won't tell me?—A. No, sir.

Q. Won't say— A. Emphatically, no, sir. I consider you are trying to insult me now, and don't you try it.

Q. Well, I certainly will ask you every question I think proper.—A. I will answer what I please, and what I don't please I won't answer. If you want to bring out anything pertaining to this case, ask it and I will answer it.

Q. I certainly will ask you whether you were a preacher.—A. That is none of your business, I'll tell you.

Q. Well, if you were, were you ashamed of being a preacher?—A. No, sir.

Q. You were not ashamed of being a preacher, if you were?—A. No, sir; not at all.

Q. But were you one?—A. That is none of your business, I'll tell you.

Q. And you won't answer that?—A. Not on your life, I won't.

Q. Why won't you?—A. Simply because it isn't asked to get any information. It is asked simply to be asking questions. You ask me anything pertaining to this matter and I will answer if I know; if I don't know, I will tell you.

Q. And that is your only reason for refusing to answer that question?—A. If you asked me as a man who simply wants to know, I would answer; but under these conditions I say no, I will not answer. This may be amusing to some people. (Addressing contestee) I don't care what you think of it, Mr. Burns, I want you to understand—

Mr. BUTLER (the contestee). I am not talking to you, sir. I am talking to my attorney, and I don't want to be interrupted by you.

Q. What doctrine did you preach?—A. None of your business.

Q. I mean when you were a preacher.—A. Now, never mind that. You were a good-looking fellow, but you can't run them kind of gags in on me. I won't have it.

Q. Now, won't you tell us what doctrine it was you preached when you did preach the gospel?—A. I preached—

(Objected to as irrelevant.)

The WITNESS. I preached against the Nesbit law; I'll tell you that, right now.

Q. Is that your—?—A. Yes, sir.

Q. That is the only preaching you have been guilty of?—A. Yes, sir.

Q. Now, is that true that that is the only gospel you ever preached?—A. I didn't say that.

Q. Do you know anything about the two Congressional committees in the Twelfth district?—A. No, I don't. In fact, I couldn't tell you who they were.

Q. Do you know about the fact that there were two Republican Congressional committees in the Twelfth district?—A. No, sir; that is the first intimation I ever had of it that there was two.

Q. You are aware of the fact that suit was brought in the supreme court and that Judge Robinson had issued a writ of prohibition?—A. That had nothing to do, my dear friend, with the Congressional committee. That was the city central committee.

Q. Well, but you know all about that, then?—A. All about what?

Q. About the disputes and the dissensions that existed in the Congressional district in the Republican party?—A. Oh, no; oh, no. That covered the whole city; that wasn't no Congressional district.

Q. Covered the whole city?—A. If you call it any dissension. I don't object to your term.

Q. What term would you call it: differences that existed?—A. Just the same as in any political party. There is differences in running a campaign.

Q. Don't you know it to be a fact that Mr. Loffhagen and Mr. Wagoner were nominated by one committee?—A. No, sir.

Q. Or by primary election?—A. I am not—

Q. Or by convention?—A. I am not in the Twelfth Congressional district. I am not interested in it at all, only I voted on the short term, that is all. I left that entirely to the Congressional committeemen of the Twenty-fourth Ward.

Q. Don't you know that there was a dispute or a dissension with reference to that matter?—A. I wasn't at that convention, and I don't know.

Q. Don't know anything about that?—A. No, sir; I wasn't there.

Not being able to complete the taking of said depositions this day by reason of absence of witnesses, I hereby adjourn the further hearing until to-morrow, December 24, at 10 o'clock a. m.

ST. LOUIS, *December 24, 10 a. m.*

Parties met pursuant to adjournment and the depositions were this day resumed, as follows:

JOHN W. TAYLOR, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. PEERY:

Q. State your full name.—A. John W. Taylor.

Q. Where do you reside?—A. 6250 Clifton avenue, city.

Q. In what precinct, ward, and Congressional district is that?—A. Twenty-fourth Ward, Thirteenth precinct.

Q. In what official capacity did you serve at the election on November 4, Mr. Taylor?—A. I was judge of election.

Q. State, Mr. Taylor, about what you know of any false registration in that precinct.—A. Well, I don't know that I know of any. I have no knowledge of any false registration.

Q. What was reported to you by the Democratic judge and clerk who canvassed the precinct? What was reported to the board?—A. The judges don't canvass.

Q. I know; I said the clerks.—A. It was the two clerks. After they made the canvass they reported they found 125 removals, or they couldn't find the parties.

Q. They both agreed on that number; did they?—A. Yes, sir.

Q. Well, was there 125 stricken from the list?—A. No, sir.

Q. Why not?—A. Well, the Democrat judges claimed that there was not a thorough canvass made of the precinct, consequently they would not have anything to do with erasing those names.

Q. Because the precinct had not been thoroughly canvassed?—A. Yes, sir. They said there had not been a thorough canvass.

Q. Well, if they found 125 on the canvass, and had not made a thorough canvass, they would have found more if it had been canvassed thoroughly, wouldn't they?—A. Well—

Q. How long—how many were stricken off?—A. There were not any stricken from the list.

Q. How many were notified?—A. There were 49. I think; 49 is my impression.

Q. Why did they not notify the whole 125?—A. Well, they claimed they ran out of material, and of course they failed to send for any more down to the city hall; that was the reason they claimed.

Q. Of the 49 who were notified, how many appeared?—A. Well, my impression is there were about three, maybe two; I would not say positively.

Q. Two or three out of the 49 appeared?—A. That were notified, or to whom legal notice was given.

Q. They were all that answered to the notice or showed up on revision day?—A. Yes, sir.

Q. You served as judge on election day?—A. Yes, sir.

Q. Did you sign the returns?—A. No, sir.

Q. Why not?—A. Well, there was a matter in regard to a vote. A man came in there to vote, and we ascertained on questioning him that he did not reside at the number he had registered at, and I claimed he did not have a right to vote.

Q. Who brought him there?—A. He came in first himself, and I rather warned him, told him it didn't look right to attempt to vote that way. He went away then and came back in the afternoon, and I think Mr. Dolan brought him in. My back was turned to the door, but I heard Mr. Dolan say that he wanted this man to vote and we must accept his vote, or something of that kind.

Q. What Mr. Dolan is that, John P.?—A. Yes, sir.

Q. What official position does he hold?—A. Not any that I know of.

Q. Do you know whether or not he is a member of any Democratic committee?—A. Well, only what I saw in the paper.

Q. What did you see in the paper?—A. He is one of their committeemen; I believe he is chairman of the city committee.

Q. Chairman of the Democratic city committee, or was at that time?—A. I think so from what I saw in the paper; that is my impression.

Q. Did he insist on that vote being taken?—A. Yes, sir; he insisted on it. Sherman, the other Republican judge, told him that he would order the officer to have him removed and taken from the building.

Q. The other Republican judge?—A. Yes, sir; and Mr. Dolan said he had a right to stay in there, swore he would not go out, and so he drew out his credentials—supposed to be—handed them to Mr. Sherman, and Sherman handed them

to me, but they didn't look right, and I told him he had no right in there to vote on those credentials, and the officer was told to take him out. Mr. Dolan said this man—I have forgotten his name—should vote. "I will stand back of you on this," he said.

Q. Do you know the name of this man that cast this vote?—A. I don't remember.

Q. Was it William Drew?—A. William Drew, that is the name.

Q. Do you know where he lives?—A. He lives up at—he lived at 6400 Manchester avenue, registered from there, but he lived on Tamm avenue NW., about there, the next block or so; I don't know exactly; he lived in a tent or a shack; I never went up there myself.

Q. Would you know the man if you were to see him?—A. Yes, sir.

Q. Who was the Republican clerk there?—A. Brocksmith—they called him Johnnie Brocksmith.

Q. Did he sign the returns?—A. No, sir; not at that time. I understood a week or so afterward he came down to the city hall—I don't know through what influence—and signed it.

Cross-examination by Mr. WALSH:

Q. Mr. Taylor, do you know it to be a fact that the Mr. Dolan you refer to was a candidate for the office of constable in that district?—A. Yes, sir.

Q. And when in there, that he was looking after his interests in that capacity as a candidate for the office of constable?—A. I don't know anything about that; I presume he was; I don't know that he was.

Q. He was using the same effort to secure ballots for John P. Dolan that any other candidate would under similar circumstances?—A. I don't know; in fact, I couldn't say.

Q. You do know he was a candidate for constable?—A. Yes, sir; I do.

Q. You say you think 49 men were notified, or 49 individuals were notified to appear on revision day?—A. Yes, sir.

Q. On what do you base that evidence?—A. I have the clerks' statement for that—they certified to that.

Q. Personally you don't know?—A. The two clerks—

Q. But personally you don't know whether it was 49 or 149, do you?—A. No, sir; only through their certified statement.

Q. Then it is purely hearsay?—A. No, sir; it is their certified statement.

Q. I say, some one told you—you don't know that of your own knowledge, there might have been 149?—A. I know only from the report of the clerks.

Q. Then you don't know from any knowledge of your own, any knowledge which you individually possess, as to the number of notices put into the mail box or in any other way delivered?—A. No, sir; not personally.

Q. And about the 125 persons not being found there by the clerks, or found to have removed or not residing at the residence addresses given on the registration books—you don't know anything, personally, about that? Personally you don't know whether there were 125 or 500 persons removed in that precinct? You made no canvass?—A. No; I didn't make the canvass.

Q. All you have stated in that connection is what someone has told you?—A. Nobody told me; I know it from the certified statement.

Q. You haven't this certified statement here?—A. No, sir.

Q. You are depending on your memory from what somebody else told you?—A. No, sir.

Q. You didn't canvass the precinct?—A. No, sir.

Q. You didn't assist in canvassing it?—A. No, sir.

Q. Now, this man who came in and tried to vote, you say his name is William Drew?—A. Yes, sir.

Q. Did he make an affidavit as to his identity for the purpose of voting?—A. Not that day; he was registered.

Q. Did anyone make an affidavit that day and vote on the affidavit?—A. No, sir.

Q. Drew, then, was the only one that you know of that came in there whom you believed was not entitled to vote?—A. No; I think there were several, probably three or four; that we refused on the same ground—giving their residence from 6400 Manchester avenue who didn't reside at 6400.

Q. Now, what is the character of this precinct with reference to the people, what is the general nature of their business, their employment?—A. Well, mostly business men, men that come down town, and there are some few men that work in these clay pits.

Q. Are there not quite a number who work in the clay pits?—A. Not very many.

Q. About how many?—A. Well, I would not like to say: I couldn't tell you, but I think very few in our precinct.

Q. About fifty or a hundred?—A. Maybe fifteen or twenty: I could not say; I know there are not many there.

Q. Not many; are there not as many as 50?—A. There might be 50: I couldn't tell you; I don't know.

Q. Are there any employed there at the fire-brick place?—A. Yes, sir.

Q. And are not a large number of the employees of the fire-brick works and the pipe works there?—A. Well, there are very few in our precinct.

Q. There are a very large number of men employed in this fire-brick place and the tile and pipe works?—A. Yes, sir.

Q. About how many, do you know, are employed there?—A. No; they are not in our precinct and I could not state. I have no way of knowing how many. There are a great many there, as the works are extensive.

Q. What are the boundaries of your precinct, Mr. Taylor?—A. The boundaries—well, there is Scullin-Gallagher, I believe that is the principal one in our precinct.

Q. I say, what are the boundaries?—A. I didn't understand you.

Q. What are the western boundaries of the precinct?—A. The western line—I don't know that I could state at all, exactly. It zigzags around there—don't go along the street a portion of the way.

Q. What is the eastern boundary line of your precinct?—A. My impression is, I rather think, Sulphur avenue; but I am not positive about that.

Q. What is the north line?—A. Well, the north line would be Lockwood avenue—I think they call that avenue on the south side of the park, that new avenue—is the north line.

Q. What is the south line?—A. Columbia avenue.

Q. Columbia avenue?—A. Yes, sir.

Q. Now, in that district you have the iron workers of the Scullin-Gallagher works?—A. Yes, sir.

Q. They employ a very large number of men?—A. A good many.

Q. Most of them live in that precinct?—A. Well, I would say most of them did not; most of them live in Benton: there may be a good many that I don't know.

Q. You know the men who are employed in the iron trade are men who are inclined to move around—that is, the majority of them? Sometimes they drink to excess and lose their positions?—A. Well, I can't answer that.

Q. Have to move from their locality?—A. I don't know. I could not answer that question. I am not very well acquainted with them.

Q. You are not very well acquainted in the precinct at all, are you?—A. Quite considerably.

Q. You don't know with any degree of certainty the western boundary?—A. If I had a map I could tell you.

Q. You would require a map? Like most of your answers you can not say with any positive certainty, without a diagram—you don't feel very positive of any particular point, do you?—A. Well, you are assuming considerable. I do not think it necessary for me to answer that question at all. I don't think it is relevant.

Q. What is your business, Mr. Taylor?—A. Well, I—

Q. You think that is also an irrelevant question?—A. I don't know that I will answer the question.

Q. You will answer that question. What is your business? What do you do for a living?—A. Well, I speculate sometimes.

Q. What?—A. I speculate in grain. I don't do anything in particular just now. I don't do anything.

Q. How long since you did do anything?—A. I don't know; I don't know as it is any of your business, as long as I pay my debts.

Q. That is your view of the case; that is your view of this whole proceeding, that it is none of my business?—A. No, sir.

Q. You can not answer that with any degree of certainty; you can't say when you did do anything for a living? [A pause.] I will ask you one more question. Of these 125 reported removals, or removals that you spoke about, how many of them voted?—A. Well, I didn't examine. I couldn't tell whether they voted or not; in fact I didn't see or go over the names.

Q. That is another point you do not know anything about. (No answer.)

Redirect examination by Mr. PEERY:

Q. You didn't know these men, did you; these 125? (A pause.) I say, you didn't know these 125 men?—A. I didn't go over the names. I presume I knew some of them.

Q. Quite a number of them might have voted and you would not have known them?—A. I would not have known them.

Q. As election judge you were judge on revision day?—A. Yes, sir.

Q. These clerks made this report?—A. Yes, sir.

Q. That is how you know, because they reported 125?—A. Yes, sir.

JOHN C. BROCKSMITH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. PEERY:

Q. State your name and residence, Mr. Brocksmith.—A. John C. Brocksmith, 6432 Dale avenue.

Q. Mr. Brocksmith, did you serve as clerk of election?—A. Yes, sir.

Q. In what precinct and what ward?—A. Thirteenth precinct, Twenty-fourth Ward.

Q. Was there any revision in your precinct?—A. Yes, sir.

Q. Do you know any persons that were registered illegally?—A. No, sir; I don't.

Q. You do not?—A. No, sir.

Q. Did you report any on revision day?—A. No, sir.

Q. You didn't report any as being registered illegally?—A. No, sir.

Q. Did you hear Mr. Taylor's testimony here?—A. I heard part of it.

Q. Well, when he said you men reported 125 illegally registered he said what was not true?

Mr. WALSH. I will object to this question as endeavoring to misrepresent to this witness a statement made by Mr. Taylor, the preceding witness.

Mr. PEERY. Answer the question, if he made the statement it was not true?—A. Well, we never found any illegal names; we went from house to house and if they didn't live there, we checked them off.

Q. You checked them off? You didn't call that illegally registered. You simply checked off that many?—A. Those that didn't live there.

Q. Were these names scratched?—A. I didn't see them scratched off.

Q. How many names were there scratched off that you reported to the judges?—A. I don't know exactly how many.

Q. As near as you can.—A. I can't say exactly how many.

Q. Can't you say how many?—A. No, sir.

Q. Do you know how many persons voted there who had no right to vote?—A. No, sir; I do not.

Q. Did you have a list of voters that you showed to different parties that voted illegally?—A. I had a list, but none of them voted illegally to my knowledge.

Q. You had a list?—A. Yes, sir.

Q. How many were on that list?—A. About 40.

Q. About 40?—A. Yes, sir.

Q. And didn't you show that list to different parties—that list of 40—and say they had voted illegally?—A. No, sir.

Q. What did you say?—A. I said they could have voted if they wanted to, but they didn't.

Q. Will you swear there was not an illegal vote cast there?—A. Not to my knowledge, there was not.

Q. Do you know William Drew?—A. Yes, sir.

Q. Do you know whether he voted or not?—A. He voted.

Q. Did he vote from the place where he lived?—A. He voted from the place where he had been voting for a couple of years.

Q. Did you sign the returns?—A. Yes, sir.

Q. Where did you sign them?—A. At the city hall.

Q. Why didn't you sign there in the precinct when the returns were made?—A. The Republican judges didn't sign, and as it was the first time I acted as clerk I didn't think I had a right to sign. I never seen anything wrong done there, so I signed at the city hall.

Q. Why wouldn't the Republican judges sign?—A. I don't know.

Q. You don't know?—A. No, sir.

Q. Didn't you know William Drew didn't live at the place from where he voted?—A. Didn't live right at that number. He came down there and the Republican judges claims, both of them, that he was living there, and that he voted from there before, and it was all right, and they left him go.

Q. You knew he didn't live there?—A. Not at 6400. He lived in a tent in a lot 100 yards north of there.

Q. Lived in a tent 100 yards from there?—A. Yes, sir.

Q. How did you happen to go to the election commissioners' office to sign?—A. I thought it was my duty. I didn't see nothing done wrong there.

Q. You went down of your own accord?—A. Nobody asked me to go. I just happened to be downtown and I thought it my duty to sign and I went.

Q. Nobody asked you to go?—A. No, sir.

Q. When did you take that notion? How long after election day?—A. I don't know; either the next day or the day after. I couldn't say exactly what day.

Q. You came to the conclusion that there had been nothing wrong done on election day, and then you went and signed?—A. I didn't think there was anything wrong. The first time I served as clerk, and being as the judges didn't sign I thought I had no right to.

Q. In the meantime you had talked with Mr. Dolan, hadn't you?—A. No, sir; I have talked to him, but not in that line.

Q. You did not talk to Mr. Dolan about coming here to testify?—A. I didn't.

Q. You threw this list you had for the voters names on away, did you not?

(Objected to as an effort on the part of the contestant's attorney to impeach his own witness and to cast discredit on the evidence of the witness, who has been subpoenaed by the contestant.)

Q. You have talked with Mr. Dolan, have you not, about your testimony?—A. No, sir.

Q. You have never talked with him between that day and the time you went down to sign?—A. I have talked with him, but not about my testimony.

Q. What did you talk to him about?—A. I don't think you have a right to know what I talked to him about.

Q. Why didn't you come down here Tuesday?—A. I never got the subpoena until this morning.

Q. The subpoena was left at your house?—A. No, sir.

Q. Was it not?—A. No, sir.

Q. How did you get it then?—A. It was left at my mother's house.

Q. And you don't live there?—A. No, sir; I don't live there.

Cross-examination by Mr. WALSH:

Q. Mr. Brocksmith, you never said to anyone that there were any illegal names registered, or any persons registered illegally in that precinct?—A. No, sir.

Q. Now, the Republican judges were the ones to decide whether William Drew was entitled to vote from the place or the number that he was registered from?—A. On revision day they did.

Q. And the place that he actually did live at was within 100 yards of the number that he gave, and was in a tent?—A. Yes, sir.

Q. He actually lived in a tent?—A. Yes, sir.

Q. The tent had no number or anything to indicate on it what the number would be other than that house number?—A. No, sir.

Q. That was the only number he could give?—A. That is the only number.

By Mr. PEERY:

Q. I want to ask you again if you did not have a list of 42 names which you exhibited before eight or ten men, and made the statement that these men voted illegally?—A. No, sir; I have the list, but I never made any such statement.

Q. What statement did you make?—A. I said they could have voted if they wanted to, but they did not—not a man voted illegally that I know of.

Not being able to complete the taking of depositions, by reason of absence of witnesses, I hereby adjourn the taking of said depositions until Friday, December 26, at 10 o'clock.

ST. LOUIS, December 26, 1902.

Pursuant to adjournment parties met at 10 a. m., and the depositions were this day resumed as follows:

LOUIS LIGIBEL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Louis Ligibel.

Q. Where do you live?—A. 311 Plum.

Q. What?—A. 311 Plum.

Q. Plum street, in the city of St. Louis?—A. Yes, sir.

Q. What is your business?—A. Engineer.

Q. Were you a judge or clerk at the election held on the 4th day of last November?—A. No, sir.

Q. Well, did you have anything to do with the election held on that day?—A. No, sir.

Q. What ward and precinct do you live in?—A. Fifth Ward, second precinct.

Q. Fifth Ward and second precinct?—A. Yes, sir.

Q. Where was the polling place for that precinct?—A. On Second street, between Poplar and Plum.

Q. Near where you live?—A. Well, I live at Third and Plum.

Q. Now, Mr. Ligibel, did you see anything improper while you were around the polls?—A. No, sir.

Q. Were you at home?—A. No; I was attending to my business.

Q. Well, did you observe anything during that day, or did you know anything in connection with the election, that was improper at that precinct at all?—A. What is that? (Question read.) No; I don't know anything at all, except I voted there.

Q. What occurred when you voted there?—A. Nothing.

Q. Did you observe anything improper or irregular in connection with the voting?—A. No, not on that day.

Q. Did you observe anything with regard to the registration?—A. Well, there is the registration—I don't know whether right or wrong, the way I seen on the registration list for the second precinct, there was three names registered in my house what was not living there at all.

Q. Do you remember the names?—A. If I could see the names—I don't remember.

Q. You don't remember the names; you examined the registration list?—A. Yes, sir.

Q. There were three names of persons registered from your house who were not living there and not entitled to vote?—A. Yes, sir.

Q. Do you know who had them placed on the registration list?—A. Well, I didn't see them place them on it; you know the peoples what was living upstairs, they must have put them there; they moved there the 18th of September and I had to put them out afterwards.

Mr. BUTLER. What is that?—A. They moved there the 18th of September.

Q. Who were they?—A. James McCormack.

Q. Was he connected with that election in any way, judge or clerk?—A. I don't know.

Q. You didn't see him at the polls?—A. No, sir; I didn't see him at that poll when I was voting.

Q. He was not judge or clerk there?—A. Not to my knowledge.

Q. Do you know his business?—A. Drummer for Louis Schaeffer—meat drummer.

Q. Was he living there on the day of the election?—A. Yes, sir.

Q. And you know that these three parties were not living in the house at all?—A. Yes, sir.

Q. Do you know whether these names were voted?—A. No, I couldn't tell.

Cross-examination by Mr. BUTLER:

Q. What precinct is that?—A. The second.

Q. Where do you say you live?—A. 311 Plum.

Q. How long have you lived there?—A. Four years, going on five years.

Q. Going on five years?—A. Yes, sir.

Q. What kind of a house is that?—A. Two-story house.

Q. Two-story house?—A. Yes, sir.

Q. What part of the house do you live in?—A. Lower part.

Q. Who lives in the upper?—A. Nobody lives there now; at that time, James McCormack.

Q. James McCormack?—A. Yes, sir.

Q. You didn't live upstairs?—A. No, sir.

Q. How many rooms are there upstairs?—A. Two rooms and kitchen and dining room.

Q. Three rooms and a kitchen?—A. Two rooms, kitchen and dining room.

Q. Four rooms altogether? (A pause.)

Q. You don't live upstairs, as you said before?—A. No, sir.

Q. You didn't live with James McCormack?—A. No, sir.

Q. You don't know who lives with him?—A. No, sir.

Q. You don't know, do you?—A. No, sir; nobody don't live with him.

Q. How do you know that?—A. I see them going up, down, and there is him, his brother, and his wife.

- Q. You don't know whether somebody else lived there?—A. Nobody lived there.
- Q. You didn't sleep in his rooms?—A. I didn't sleep in his room.
- Q. Did you eat in his rooms?—A. No, sir.
- Q. And there could be half a dozen men there without your knowing it?—A. Well, no; because surely I must see that; there is peoples went in and out; there is not room enough in there to sleep, except they sleep on the floor.
- Q. Well, it is a common occurrence for men to sleep on the floor, to sleep on cots or beds, or any way they like, in that locality?—A. Yes, sir.
- Q. Are there not a number of people living in the Fifth Ward who sleep three or more in a room; you know an amount of people where six or more sleep in four rooms; don't you know any amount of people in the Fifth Ward where six people sleep in one room?—A. Oh, yes; I have seen that.
- Q. As a matter of fact, you don't know whether these three men were living there and entitled to vote or not? You said you did not live in the whole house?—A. No, sir; I know they didn't live there.
- Q. How do you know that? Are you sure of that?—A. I am positive.
- Q. You are positive that nobody lived with McCormack but his brother and his wife; are you positive of that?—A. Well, I am sure.
- Q. How can you swear to that when you did not sleep with him or eat with him?—A. I rented the house to Mr. McCormack and to nobody else.
- Q. You rented to him; did that fact prevent him from having men sleeping or boarding with him?—A. It was not a boarding house.
- Q. You rented the house to McCormack and his wife, but you didn't know who lived with him?—A. Yes, sir.
- Q. You said you saw lots of people coming and going?—A. Coming up and then going down again always; they didn't stay over night.
- Q. How do you know that?—A. They didn't, except they were drunk.
- Q. You believe they did stay all night if they were drunk?—A. Maybe so.

WILLIAM F. SHERMAN, of lawful age, being produced, sworn, and examined, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

- Q. State your name?—A. W. F. Sherman.
- Q. Where do you live?—A. 6210 Clifton avenue.
- Q. In the city of St. Louis?—A. Yes, sir.
- Q. Were you connected as a judge or clerk or challenger of the election held in this city on the 4th day of last November?—A. I was a judge.
- Q. What ward and precinct?—A. Thirteenth precinct and Twenty-fourth Ward.
- Q. Democrat or Republican?—A. Republican judge.
- Q. Now, Mr. Sherman, did you pay any attention to the revision of the registration in that precinct?—A. I did, sir.
- Q. State what it was and what the result was?—A. On the day of revision I wrote out the notices to James O. Gorman and John Brocksmitth to make a thorough canvass of the entire precinct.
- Q. Who were they?—A. James O. Gorman and John Brocksmitth were the clerks who were to canvass. I served a notice on them, at the same time notifying the election commissioner at what place they were to meet and the hour.
- Q. Go ahead?—A. And from the results I saw they didn't make a thorough canvass. They came to us on the day of revision and reported to the judges that they had notified 48 registered voters, who were supposed to be registered voters, that they didn't live there, and when they came down to the scratching we found about 125 names that had either moved from the precinct or didn't live in the houses they were registered from. On the day of revision when the hour of 9 o'clock came I notified my two colleagues, Mr. Hull and Mr. Hutti, that the time had come and that we had either to scratch the names off the registration books—scratch those off that didn't belong there. The two Democratic men refused to scratch any name whatever. We then stopped until the time came for closing the precinct, 10 o'clock that night; we then left there without scratching any names at all.
- Q. Who were the judges who refused to consent to the scratching?—A. Charles Hull and Edward Hutti.
- Q. Well, now, on the day of election what occurred in connection with the casting of the ballot there, with reference to these names that you thought ought to be scratched; were they left on the books?—A. As far as my knowledge serves me there was none of them voted except one man that came down in the morning, or I would say close to noon time to vote. His vote was challenged and he didn't vote.

Q. After these judges refused to consent to the erasure of any names, was there any effort made by you to have this done?—A. Well, I made my report to them and we tried to have the matter settled between Mr. Dolan and Mr. Blake.

Q. Who is Mr. Blake?—A. City Central Committeeman.

Q. For what ward?—A. For the whole city, for that ward also.

Q. Now, did you sign the returns?—A. I did not, sir.

Q. Why didn't you?—A. Why didn't I? About 5 o'clock in the afternoon Mr. William Drew came in to vote and when he came in Mr. Dolan came in and demanded that he be allowed to vote—

Q. Who demanded: Drew?—A. John Dolan demanded that Mr. Drew cast his vote. I told Mr. Dolan that he couldn't vote.

Q. Why?—A. Because he didn't live at the residence he gave as his number. Mr. Drew registered from 6400 Clayton avenue and he lives on the northwest corner of Tamm avenue, about 100 feet northwest from Clayton avenue.

Q. His residence is not the number from which he was registered?—A. No, sir; 6400 should be on the southwest corner, and 6400 out there is on the southeast corner. Consequently we found he didn't live in the place, so we didn't allow him to vote; but Mr. Dolan insisted that that man cast his ballot, and I got up and I put these four fingers into the ballot box, and I said that if he cast his vote he does it over my protest, that the man was not a registered voter and he was not entitled to vote from the number he gave. I held my fingers there, and the ballot was put in against the protest of the two Republican judges.

Q. Was Mr. Dolan in any way connected with the election held on that day at that precinct as judge or clerk?—A. Nothing, whatever: he made out—in the first place Mr. Dolan voted in the morning when he came in there, and in the afternoon he demanded the vote of Mr. Drew, and then I ordered the police officer to put him out.

Q. What was the result?—A. The result was, the officer refused to obey me, so I notified the police officers that I would have them before Circuit Attorney Folk. I have got their star number in my pocket for memory's sake.

Q. Have you signed the returns?—A. I did not.

Q. Was there any effort made to compel you to sign these returns?—A. Yes, sir; the election commissioners sent for me to come down.

Q. Then what occurred?—A. I told them I wouldn't sign.

Q. What commissioner?—A. They sent one of their deputies; I don't know who they were; I suppose they came from the election commissioner.

Q. You didn't go down?—A. I went down to the commissioner's office.

Q. What occurred there?—A. They asked me to sign and I told them I would not and they stated that they could not force me to sign; and that is all that took place down there.

Q. How long did it take you to count the ballots cast in your precinct?—A. We got through—must have been 3 o'clock in the morning—must be somewhere about that time—between 2 and 3.

Cross-examination by Mr. BUTLER:

Q. You say the election commissioners told you they could not compel you to sign?—A. Yes, sir.

Q. They did not attempt to compel you to do so, did they?—A. No, sir.

Q. At no time? They simply asked you to sign?—A. Simply asked me to sign.

Q. What precinct and ward is that?—A. Thirteenth precinct, Twenty-fourth Ward.

Q. You say you saw no irregularities there of any kind except that connected with this man Drew?—A. That is all.

Q. That is the only one you knew of?—A. That is the only one. I knew lots of them, but they didn't come to vote, consequently that is all.

Q. There were no fraudulent votes cast there to your knowledge?—A. There was; in counting up the ballots we had 387 votes. I think we found about 6 or 7 ballots that were in the ballot box that didn't belong there, and we threw them out.

Q. These you threw out?—A. Yes, sir.

Q. So that there was absolutely no irregularity there besides this man Drew?—A. No, sir.

Q. How long have you known Drew?—A. I have known Drew three years.

Q. You knew he was a citizen of the precinct?—A. I knew that.

Q. You knew that he was a voter of that precinct?—A. Yes, sir.

Q. You knew that he was entitled to registration?—A. He was never entitled to register from that place.

Q. You knew he had not voted before in that precinct, didn't you?—A. Not on that day.

Q. He had not?—A. He didn't vote in my precinct before; he voted in the precinct previous years. He had not at this election.

Q. He hadn't voted before in that precinct at this election?—A. No, sir.

Q. How long have you been a judge of elections?—A. Been a judge in that ward and precinct now for I guess about six years.

Q. How often has Drew voted in that precinct to your knowledge while you were judge?—A. Once.

Q. From the same number?—A. I think he did.

Q. You didn't object at that time?—A. I didn't, because the names—the clerks made a thorough canvass and reported they found so many names to be scratched and so many to be kept on the books.

Q. And then you permitted Drew to vote?—A. We took the clerks' affidavits.

Q. Don't you know as a matter of fact that Drew has his abode in a tent?—A. Certainly.

Q. How?—A. I know that.

Q. Which has no number and which it was found impossible to give a number to?—A. I will give you a number if you want to know what it ought to be.

Q. Never mind; the city authorities can attend to that.—A. That is where I got it.

Q. It was a tent?—A. I suppose so.

Q. He was not registered from the tent?—A. He was registered from 6400 Clayton avenue.

Q. That is the only place in the precinct he is registered from?—A. Yes, sir.

Q. The only place?—A. That is the place he is supposed to go for his mail.

Q. And he does get his mail there?—A. I don't know.

Q. Do you know whether he does?—A. No, sir.

Q. That was the only complaint from that ward and precinct?—A. It was the only one.

Q. Wasn't there any other man that attempted to vote fraudulently on that day, according to your idea?—A. Not that I know of, unless one man whose vote was challenged, but we finally took his vote; allowed him to vote.

Q. Who was that?—A. His name was, I think—I can not think of his name.

Q. Do you know a man named Bracken?—A. Bracken—that is the man; he was up there and his vote was challenged.

Q. Do you know that he made affidavit before he was allowed to vote.—A. Yes, sir.

Q. Do you know whether, as a matter of fact, you found out that he was a Republican and secretary to Mr. Baumhoff and that you withdrew the affidavit and destroyed it in conflict with the law?—A. No, sir.

Q. You didn't destroy the affidavit?—A. We did not destroy the affidavit, so far as I know—I did not.

Q. You didn't destroy the affidavit after you compelled Bracken to make it?—A. I didn't destroy it—I did not.

Q. Who did?—A. I don't know.

Q. You don't know?—A. No, sir.

Q. One of the judges?—A. I don't know.

Q. Well, it was destroyed—it was not in the ballot box?—A. I don't know.

Q. You don't know? It never was returned to the commissioners?—A. It should have been put in and marked with the rejected ballots.

Q. It should have been put in?—A. Certainly.

Q. You don't remember whether it was put in?—A. I do not.

Q. Why didn't you make a memorandum of that?—A. The man voted.

Q. You knew he voted the Republican ticket and was secretary of the Republican, Baumhoff?—A. Now, Mr. Butler, I don't know what his politics were—I don't know any more than you do.

Q. You knew Mr. Bracken?—A. When you mentioned his name I remembered him.

Q. You learned on that day that he was Mr. Bracken, secretary of Mr. Baumhoff?—A. I learned that he was—

Q. Secretary of Mr. Baumhoff—didn't you learn that?—A. No, sir.

Q. Will you positively swear that you didn't destroy that affidavit?—A. I positively swear I didn't.

Q. Will you positively swear that you don't know it was destroyed?—A. I don't know that it was not.

Q. Will you positively swear that you don't know it was destroyed?—A. Yes; I will take an oath on that.

Q. That you don't know it was destroyed?—A. Yes, sir.

Q. You swear it was put in the ballot box?—A. It was not in the box, because there was just as many ballots in as was voted.

Q. There was no affidavit in there?—A. Not that I know of.

Q. Did you make any inquiries as to what had been done with it when you found it was missing?—A. No, sir.

Q. You did not?—A. No, sir.

Q. How long have you been a Republican?—A. All my life.

Q. Do you know John P. Dolan?—A. I do.

Q. You know he was a candidate in that precinct?—A. Yes, sir.

Q. What for?—A. Constable.

Q. That was within his district?—A. Yes, sir.

Q. That ward and precinct?—A. Yes, sir.

Q. Do you know who the candidates for Congress were—the Republicans?—A. I do.

Q. Who were they?—A. Wagoner and Reynolds—the short and the long term.

Q. Do you know how many candidates for Congress had been nominated by the Republicans?—I don't know anything about it.

Q. You don't know anything about it?—A. No, sir.

Q. Do you know Captain Lofhagen?—A. No, sir.

Q. Have you heard of him?—A. I have.

Q. Do you know whether he was a candidate?—A. To my—he was not a candidate in this election.

Q. Don't you know he was nominated by the Republican party?—A. I don't know.

Q. You don't know that?—A. No, sir.

Q. Do you know how many central committees were in the Republican party, each claiming to represent the party?—A. I only know of one.

Q. Which one was that?—A. The one that Blake was chairman of; that is the one recognized by the courts, so far as I know.

Q. Do you know anything of the one that Kolbfield was chairman of for years?—A. I know there was a central committee.

Q. You know it was the central committee?—A. Yes, sir.

Q. Do you know the one that Teasdale was chairman of?—A. No, sir.

Q. Do you know the one John B. Owen was chairman of?—A. No, sir.

Q. Do you know the one that C. H. Lofhagen was chairman of?—A. No, sir.

Q. You don't know anything about these Republican central committees?—A. No, sir.

Q. I suppose you don't read the newspapers?—A. Yes, I do.

Q. What portion do you read—the sporting news or the church news?—A. I don't have to answer that.

Q. Do you ever read the political news?—A. I do.

Q. Have you been a Republican all these years and don't know these things?—A. I have not been taking an active part in politics for years.

Q. Is it because you haven't taken an active part that you do not know?—A. Yes, sir.

Q. Didn't you pass Drew on the day of revision as all right and O. K. and say it was all right? Didn't you so tell the clerks?—A. No, sir; not that I remember of. If I had passed him on revision day I am quite sure I would not have challenged him on election day.

Q. Didn't you pass him as a registered voter?—A. No; we couldn't pass anything; none of them were scratched—not a name on the book was scratched.

Q. Was he one of the 125?—A. Yes, sir.

Q. He was one of the 125?—A. Yes, sir; 125—I won't say 125; it might be less; about that.

Q. Did you make any individual protest against Drew on the day of revision?—A. No, sir.

Q. Had his name come up at all on revision day?—A. No, sir.

SILAS L. MOSER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Silas L. Moser.

Q. Where do you live?—A. 3025 Locust.

Q. Were you judge or clerk at the election held on last November 4?—A. No, sir.

Q. Were you present at the polls during the day at any time?—A. Merely present a few minutes when I cast my vote.

Q. Do you know anything of any improper registration or illegal registration?—
A. No, sir.

Q. What polling place did you vote at?—A. Channing, between Olive and Locust.

Q. Do you know the ward and precinct?—A. Twenty-second Ward, ninth precinct.

Q. Did you see anything irregular or improper in connection with the vote cast on that day?—A. No, sir.

Q. Anything improper with the registration in that precinct?—A. Not that I personally know of.

Q. Did you make any examination of the registration lists?—A. No, sir.

Q. How long were you at the polling place?—A. Probably not more than five minutes; well, not more than ten minutes.

Q. That is all the time you were there during the entire day?—A. Yes, sir.

Q. Were any parties registered from your house not entitled to vote?—A. Not that I know of.

Witness excused.

The WITNESS. I would like to make a statement.

Mr. BUTLER. We object to any further examination of this witness, as he has been excused.

Mr. HOLTCAMP. Go ahead.

The WITNESS. I will state that I was a candidate for sheriff on the Allied ticket and that I cast a straight ticket for that party; the official returns showed that the entire ticket had not been voted for in that precinct; there were only 2 votes for myself and 1 other, and the rest of the ticket there was nothing returned and this included the candidate for Congress, and I am very positive that I cast my vote for each one of these men on the Allied ticket.

Cross-examination by Mr. BUTLER:

Q. Who was the candidate on the Allied ticket for Congress?—A. H. H. Artz.

Q. You say you saw nothing in the official returns of the vote?—A. I saw the official returns and they didn't show a vote for him.

Q. Did you see the official returns?—A. Yes, sir.

Q. You voted for him?—A. Yes, sir.

Q. For Mr. Artz?—A. Yes, sir.

Q. Do you know whether your ballot was legally put in?—A. I saw it put in; I saw the part I wanted voted for put in and the other rejected, which went into its place.

Q. Mr. Artz was neither a Republican nor a Democratic nominee at that election?—A. No, sir.

Contestant's counsel then called W. W. Robinson, Jos. Schuler, Chris. Shawaker, and E. H. Nelson, who, failing to respond, a recess was taken until 2 p. m.

By reason of absence of witnesses I hereby adjourn the further taking of depositions until to-morrow, December 27, A. D. 1902.

ST. LOUIS, December 27, 1902—10 a. m.

Parties met pursuant to adjournment and the depositions were this day resumed, as follows:

JOHN C. LYONS, of lawful age, being produced, sworn, and examined, deposes and saith:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. John C. Lyons.

Q. What is your residence?—A. 3127 A Clifton.

Q. What is your business?—A. Undertaker.

Q. How long have you lived in this city?—A. Thirty-two years.

Q. In what precinct and ward do you live?—A. Let me see; I believe the seventh.

Q. The seventh precinct?—A. I am pretty sure—no, the ninth.

Q. The ninth precinct; what ward?—A. The Twenty-first Ward.

Q. Do you know No. 223 North Third street, the first precinct of the Fourth Ward?—A. No, sir; I do not.

Q. Do you know No. 614 Wash street, the polling place of the second precinct, Fourth Ward?—A. Yes, sir.

Q. Were you there on election day?—A. I was; half an hour or more.

Q. State what occurred there.—A. Being a candidate on the Republican ticket—

Q. What office?—A. Justice of the peace. I was interested in seeing how

things were going on, and I strolled along from one poll to another and came up against the polling place for the second precinct at Wash street. I went in and bid the time of day among the officials in there—there was only one I knew personally, and that was Dr. Dill. I says, "Well, boys, how are things going?" "Pretty rough," some of them says. "By that time in came a crowd of 12 men—"

Q. White men or black men or mixed?—A. All white. I noticed them line up and I stepped to one side at the edge of the door, and they lined up close to each other and they had a slip in their fingers in this shape [indicating]—

Q. That is, in their hands?—A. In their hands like this—

Q. Protected, was it?—A. Yes, sir; protected by the other man. They looked down at the slip and gave the names. I don't remember the names. "Where do you live?" they was asked, and they looked down at the slips and answered. That is all I could hear as they spoke in a low tone. "All right," some one says—

Q. Who said it was all right?—A. I don't know what his name was.

Q. Was he a clerk or a judge?—A. The man that handed the ballots.

Q. One of the election officials of that precinct?—A. Yes, sir. By this time the place was crowded—it was a small place and I was crowded considerably to one side. I didn't hear them give the names, but heard Dill's protest when one of them was asked how long he had been in this country and he said fifteen years, and he said "Why, that don't correspond with the book—the book says a year and a half." The party handling the ballot says, "Go ahead and vote, don't pay any attention to that guy—"

Q. What guy?—A. Dr. Dill.

Q. The Republican judge?—A. Yes, sir.

Q. Was that vote received?—A. I got toward the door through the crowd and when I got outside I stopped out there, and the same party that voted first came out and changed hats with the men in the rear and got into line again.

Q. Got into the line of voters?—A. Got into line of voters. Those on the outside urged him to go ahead and get in and he followed in after the other fellows—

Q. Followed in where?—A. Right into the polling place again, and he took a slip out of the lining of his hat and walked along with the others. I said to the police officer who was there, "What does this mean?" He shrugged his shoulders and went on and I stopped and watched them come out and in there for fully half an hour. I saw the first party that voted in there going into the booth the second time—

Q. That is into the stall where the voters go to prepare their ballots?—A. Yes, sir; I suppose he went to prepare his ballot, so I left and took a stroll around.

Q. One moment. How many times did you see this gang of twelve men vote?—A. I didn't see them vote the second time. I saw the first of them out there exchanging hats and lining up again, so I knew they was repeating.

Q. Did you see any of the 12 men in the line afterwards approach the polls the second time?—A. To cast his vote? I saw them vote the paper; I don't know whether their vote was cast.

Q. You saw them vote the second time, or once?—A. The second time.

Q. You saw them vote the first time, and you saw them go out and get in line of voters and go into the polling booth to prepare ballots for voting the second time, and you saw one actually vote?—A. No, I didn't see him, I left; it was raining quite hard and I left as he was going to vote the second time. From there I stroll up street and went over to the polling place of the fourth precinct of the Fourth Ward on Seventh street opposite—

Q. 817 North Seventh?—A. Yes, sir.

Q. Fourth precinct, Fourth Ward?—A. Yes, sir.

Q. What did you see over there?—A. Well, I had only been there a few minutes—

Q. When what occurred?—A. When along came the gang of 12 men, the same crowd, I recognized them to be the same men I had left at the Second precinct, and they bolted in and everybody else got out of the way, as it was a small place used as an office for some coal yard, very small room in there, and I was crowded to the edge of the door, and they followed the same tickets there—

Q. What do you mean by that?—A. With their slips of paper—when their name was called they would look at the slip and when asked where they lived they would look at their slips also, so that they could answer.

Q. Then when they had given their names and residences, what did they do?—A. They were given a ballot and voted, of course.

Q. What did they do then?—A. They went ahead and voted.

Q. You saw these same men, the same 12 men, vote that you had seen vote in

the second precinct?—A. Yes, sir; I saw them follow the same tactics of coming out and doubling and going in again. I made a motion to the judge and pointed to them this way [indicating.]

Q. Who was that?—A. The Republican judge—the one who represented himself to be a Republican.

Q. Shook your hand and pointed to these repeaters?—A. Yes, sir.

Q. How many times did they vote there?—A. I saw them voting twice.

Q. You saw them vote twice?—A. I didn't see them vote twice, I saw them going in twice; I watched to see what I could and I saw the ballots handed to them.

Q. You say that they voted twice?—A. Yes, sir; I was crowded outside by that time. I says to the officer that was standing there: "This thing ought to be stopped." He turned on his heel and walked off saying: "I have nothing to do with it, as long as the judges in there allow them to vote I havn't anything to do with it." I proceeded from there to Sol Boehm's drug store and telephoned the Republican headquarters what I had witnessed done in that ward.

Q. Have you related substantially all that you saw there?—A. Yes; that is all.

Q. You are referring to the election held on the 4th of November of this year?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. What is your business?—A. Undertaker.

Q. Where?—A. 3211 Olive street.

Q. Were you in business on your own account?—A. Yes, sir.

Q. How long have you been an undertaker?—A. I went into the business a year ago the 1st day of last September.

Q. What were you before that time?—A. I was inspector of weights and measures for the city for eight years.

Q. How long had you been such inspector?—A. Eight years; I was elected twice to that position.

Q. Who appointed you?—A. Sir?

Q. Who appointed you to that position?—A. I was not appointed; I was elected by a vote of the majority of the people of the city.

Q. You were elected?—A. Yes, sir.

By Mr. RICHIE:

Q. For the entire city?—A. Yes, sir.

By Mr. ROWE:

Q. You were elected by citizens of St. Louis?—A. Yes, sir.

Q. What did you do before you were an inspector?—A. I worked for Uncle Sam fourteen years in the post-office.

Q. How old are you?—A. Me? I will be 50 years of age on the 5th day of next April.

Q. Did you occupy official positions other than the ones you have just stated?—A. No, sir; never have.

Q. For twenty-two years then you have been an officer, have you?—A. Yes, sir.

Q. You were a candidate you say, for what position?—A. Justice of the peace, fifth district.

Q. That comprised what wards?—A. The Fourth, Fifteenth, Twenty-fifth, part of the Twenty-second, one precinct of the Fifth, one of the Third.

Q. Who was your opponent for that position?—A. I couldn't tell exactly; there was two on each ticket: Robert Walker and myself on the Republican ticket, and Mr. Spalding and Griffin on the other, so it was hard to say which was my opponent; I could not say.

Q. Well, there were two justices of the peace to be elected?—A. Yes, sir.

Q. In that district?—A. Yes, sir.

Q. And you were one of the nominees of the Republican party?—A. Yes, sir.

Q. You have a contest on hand now, have you not?—A. Yes, sir.

Q. Seeking to secure by contest that office?—A. Well, not so much that; I don't care a snap for that, but I want to find out how I was beat out.

Q. But you have such a contest on hand and pending in the courts?—A. Yes, sir.

Q. You visited, I believe you stated, the two precincts of the Fourth Ward?—A. Yes, sir.

Q. They were the fourth and ninth?—A. No, sir; the second and fourth precincts.

Q. The second and fourth?—A. Of the Fourth Ward.

Q. Which precinct did you visit last?—A. The fourth precinct.

Q. You saw the officer, you say, on the outside and you asked him couldn't this be stopped?—A. Yes, sir; his name is Appleby.

Q. Do you know him?—A. I know his number—14; it was on that day. I understand since then the numbers are changed; I am not acquainted with him, but I know his name is Appleby; I took his number down and learned afterwards his name was Appleby.

Q. Do you know his given name?—A. No, sir.

Q. Did you know any of the 12 persons that you saw going into the fourth precinct to vote?—A. No, sir.

Q. Do you know any of the names they went under?—A. No, sir; I couldn't catch the names from them they spoke in such a low tone. I couldn't catch the names, as I was quite a distance from them, probably as far as from the second table there; I was back near the door.

Q. Do you know who the Republican judges and clerks of election were at the fourth precinct of the Fourth Ward?—A. Did I know them?

Q. Yes, sir.—A. I knew just one, and I met him during my campaign; his name, I understand, was Rowan. I don't know his given name.

Q. Was it Dave Rowan?—A. I don't know his given name. I was introduced to him during my campaign.

Q. Now, up at the second precinct—you visited that?—A. Yes, sir.

Q. The Fourth Ward?—A. Yes, sir.

Q. And you say you saw 12 men coming in there?—A. Yes, sir.

Q. Did you count them?—A. I did; they marched up the street two by two.

Q. Do you know the names of any of the 12?—A. No, sir.

Q. Do you know Dr. Dill?—A. Yes, sir; I have known him for years; he is a dentist. He has done work for me.

Q. He has done work for you?—A. On my teeth; yes, sir.

Q. He has been a Republican all his life?—A. That I can not say what his politics are. I understood he represented the Republican party.

Q. Are you familiar with the politicians of the Fourth Ward?—A. No, sir.

Q. Or that precinct?—A. No, sir; it was the first time I was ever down in that location, and I don't know every one.

Q. Do you know the names of any of these 12 parties down there?—A. No, sir.

Q. What did you say to Dr. Dill about voting these 12 men?—A. I didn't have an opportunity of saying anything. As they came in he turned to the book and I heard him call a name out and ask how long the man had lived in this country, and he said, "Fifteen years;" and he said, "This doesn't correspond with the book; the book says a year and a half;" and the other party said, "Go on and vote and don't pay any attention to that guy."

Q. How long have you known Dr. Dill?—A. I judge seven or eight years; something like that.

Q. He is a dentist here in the city of St. Louis?—A. Yes, sir.

Q. He has done some work for you?—A. Yes, sir; on my teeth.

Q. He was a reputable citizen?—A. I don't know anything about that. I had met him at a lodge; that is where I got acquainted with him.

Q. A lodge member with you?—A. Yes, sir; I may have met him at the Legion of Honor, or the Knights Templar, or Royal Arcanum. I met him at the lodge and that is the way we became acquainted.

Q. Did you request the arrest of any of these parties—request that they be arrested?—A. No, sir; I couldn't get an opportunity to speak to them, there was such a turmoil and noise going on there; I couldn't get any names; I was crowded out of the place.

Q. How many—how long did it take them to vote there?—A. Why, over half an hour.

Q. You made no request for the arrest of these men?—A. No, sir; I just simply asked this officer if this could not be stopped, he saw it for himself.

Q. At the fourth precinct?—A. Yes, sir.

Q. And at the second, did you say anything to any police officer there?—A. No, sir.

Q. Now, did you visit any other precinct during the day?—A. A few in the Fifteenth Ward.

Q. How?—A. I believe I visited a couple, and then in my own ward, but it turned out such a disagreeable day that I did not stay out of the house much.

Q. How many of them did you visit in the Fifteenth Ward?—A. I visited one along with Otto Stifel on Seventeenth street near Franklin avenue.

Q. Did you discover anything wrong there?—A. We didn't get near the polls.

Q. Well, you were really very active on that day going around to these polls?—A. I was to the contrary.

Q. You were not?—A. I was disgusted by 1 o'clock and went home and stayed there.

Q. Didn't you come and go to the different polls?—A. I went, as I said before, with Otto Stifel to that number on Seventeenth near Franklin avenue.

Q. Did you discover anything wrong there, any improper voting at any place other than the two places you have just told us of?—A. Not myself: no, sir; I heard there was.

Q. You have told all you know with reference to the matter?—A. That is all I know is these two precincts.

Q. You have been an active Republican for quite a number of years?—A. All my life, since manhood.

Q. You have always in previous elections taken part in the nominations?—A. Yes, sir.

Q. And have been really active in the counsels of the party?—A. Sure: yes, sir.

Q. You are aware of the fact that there were differences in the Republican party with reference to the nominations for the long and short terms for Congress in the Twelfth Congressional district, were you not?—A. I understood different parties had different choices, yes, sir, but I had nothing to do with the Twelfth Congressional district, I live in the Eleventh.

Q. I am asking you. Are you aware that Ed. H. Lofhagen had been nominated by one branch of the party for Congress and Mr. Reynolds had been nominated by another branch?—A. Yes, sir.

Q. You are aware that Mr. Wagoner was nominated for the short term and Mr. Reynolds was nominated for the long term?—A. I never heard of Mr. Wagoner at any convention; I understood he was nominated by electors.

Q. Well, you knew of Lofhagen's nomination?—A. Yes: I read of it in the papers.

Q. Were you aware of the fact that proceedings were instituted in the supreme court of Missouri for the purpose of preventing representation on the part of one committee that was claimed was a usurper?—A. Yes, sir; I believe they did carry their differences to the supreme court.

Q. Do you recollect the claim made by the St. Louis Star? You know that that is a Republican paper, don't you?—A. Yes, sir.

Q. That they claimed the convention that represented the Twelfth Congressional district, "after five hours' work Saturday, decided to make the nomination Monday afternoon at 2 o'clock: a few bolters became dissatisfied because they were not in the majority but in the minority, but after the regular elected candidates left the bolters got together and nominated Mr. Reynolds"—did you ever hear that?

(Objected to on the ground that it is irrelevant and immaterial and cumbering the record for the purpose of consuming time and filling space.)

MR. ROWE. If I were permitted I would make the objection to that as not founded on fact.

Q. What is your answer?—A. In regard to that question, why I never do take any stock in newspaper reports: I don't believe them; I don't believe even the Post-Dispatch, much less the Star; when it comes to newspaper reports, why I have given them reports and they never do get them right.

Q. Were you present at the convention at which John B. Owen was temporary chairman and Harry G. Weylan was temporary secretary?

(Same objection.)

WITNESS. Do I answer that?

MR. ROWE. Yes, sir.

A. Yes: I was there as a spectator.

Q. Do you know who was made permanent chairman of that convention?—A. I believe the same officers, if I remember right. I am not sure.

Q. You knew that Capt. E. B. Lofhagen was chairman of the Twelfth Congressional, didn't you?—A. I never heard of it before until you state it now.

Q. Lofhagen?—A. No, sir; that is a new one on me. I believe if you will look in the directory you will find that John B. Owen was chairman of the Twelfth.

Q. Do you know of the fact that there was known as the Kerens-Ziegenhein branch of the Republican party?

(Same objection as before.)

A. I have heard of it.

Q. You also know of the fact that the Kerens-Ziegenhein branch had denounced George B. Reynolds?—A. I don't know that.

Q. You don't know it?—A. I was not interested in that district.

Q. You knew that the Kerens-Ziegenhein branch were in opposition to Mr. Reynolds and were in favor of Mr. Lofhagen; don't you know that?

(Same objection.)

A. Well, I heard it talked of: personally, myself, I don't know that.

Q. That is the talk you heard?—A. Yes, sir; that there was two factions in that district.

Q. Of course, a great deal of your direct examination has been of talk that you have heard?—A. No, sir; what I have given here I saw with my own eyes.

Redirect examination by Mr. RICHEY:

Q. Any friction that existed in the Republican party arose out of disagreements as to the nominees for Congress, didn't they?—A. That is my understanding.

Q. When the candidates, that is when Mr. Wagoner, received the nomination for the short term from the Twelfth Congressional district, you knew of no opposition in the Republican party against him, did you, after that?—A. No, sir.

Q. On the contrary everything was harmonious?—A. Yes, sir.

Q. And the same is true of George B. Reynolds, all opposition to him died out after Lofhagen withdrew, and there was peace and harmony in the party in the Twelfth Congressional district so far as Mr. Reynolds was concerned?—A. Yes, that is my understanding.

By Mr. ROWE:

Q. There was no triumphant party at the election, was there?

Mr. RICHEY. That would depend, I suppose, on the result of the returns at the polls whether they are to be considered as triumphant.

ISAAC P. WILLIAMS, JR., (colored), of lawful age, being produced, sworn, and examined, on the part of the contestant, deposeth and saith, as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Wise?—A. No, sir; Isaac P. Williams, jr.

Q. What is your residence?—A. 1425 Linden, rear.

Q. That is the sixth precinct of the Fifteenth Ward?—A. Yes, sir; sixth precinct of the Fifteenth Ward.

Q. The voting place was at 1530 Morgan street?—A. If I am not mistaken.

Q. Did you go to the polling place there?—A. I did.

Q. Tell us what you saw.—A. Yes, sir; well, on the 4th day of November past, I go up to vote. I get up early in the morning; I go up there to vote and we had some difficulties about getting in, and when I get in to vote I go and I find the judges have had my residence wrong; they have it 1524 Linden, when I live at 1425, rear.

Q. That is your address, is it?—A. 1425, rear, is my address, yes, sir; and when he gives me the ballot I goes to the booth and tears it off; I scratches some amendments; the school amendments is one I scratched, and the rest of the ticket I voted straight.

Q. What kind of a ticket?—A. Republican from top to bottom. When I comes back and gives it to the judge or the man, whoever he was, who has the—

Q. One of the election officials at the polling place?—A. Yes, sir.

Q. Go on.—A. He takes the ballot, my ballot, and at first he has a piece of paper in his hand this way—

Q. What kind of paper?—A. Looked to me as a ballot, looked as it were another ballot. I give him mine—

Q. Your what?—A. I gave him my ballot to go in the box—I wanted to see it go in the box and a policeman there says, "Go along out of here, you done put it in the box." I steps down about the barber shop, about 40 or 50 feet from the place, and I didn't see him put the ballot in there. I know myself there was a man down there that only been from the penitentiary not more than a month, and I know it to be a fact that he was voting, and I have witnesses that have seen him go in the place three or four times—

Q. Wait a minute. When you gave this man, this election official, your ballot, what did he do with it?—A. He had the other paper there, I suppose it was a ticket, but my ticket never went in the box.

Q. What did you see him do with it?—A. I didn't see it go in the box, my ballot, he took it and starts toward the box with it, puts his hand in his pocket, and I never did see him put my ballot in the box.

Q. Did you see him put any paper in the box?—A. No, sir.

Q. Then you were hustled out?—A. I was.

Cross-examination by Mr. BUTLER:

Q. Where do you live, you say?—A. 1425 Linden, rear.

Q. Where were you returned from?—A. I was returned from 1425 Linden, rear.

Q. You stated a moment ago that you found out you were returned from the

wrong place on the books?—A. They had me registered wrong, and when I brought in witness they let me vote.

Q. Where were you registered from?—A. 1425 Linden, rear.

Q. Where did the books show that you were registered from?—A. The books show them 1424 Linden.

Q. 1424 Linden?—A. Yes, sir.

Q. Isn't that the reason they did not put your ballot in?—A. Is that the reason?

Q. Is it not on account of wrong registration?—A. No, sir.

Q. 1424 Linden is across the street from 1425?—A. I am sure it was across the street, but you understand they had it wrong.

Q. You were not registered from 1425?—A. I were registered from 1425 Linden, rear.

Q. You were not so on the books, were you?—A. No, sir.

HARRY MUNSON (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and saith, as follows:

Direct examination by Mr. RICHEY.

Q. What is your name?—A. Harry Munson.

Q. M-u-n-s-o-n?—A. Yes, sir.

Q. Where do you live?—A. 2235 St. Charles.

Q. What precinct is that?—A. Twenty-second—first precinct, Twenty-second Ward.

Q. Where was the polling place on the 4th day of November, election day, in that precinct?—A. Twenty-third street, between Olive and Locust.

Q. Was it 309 North Twenty-third?—A. Yes, sir; at the corner of the alley.

Q. You say it was in the rear?—A. Yes, sir.

Q. Were you at the polling place at that time?—A. Yes, sir; all day.

Q. What was your business there?—A. I was challenger.

Q. For the Republican party?—A. Yes, sir.

Q. Did you act as challenger during the day?—A. Yes, sir.

Q. Were you inside of the polling place during the day?—A. For about two hours only.

Q. What time of the day?—A. From half past 6 until about half past 8.

Q. In the morning?—A. Yes, sir.

Q. Who was the Democratic challenger?—A. A fellow they called Mack, I believe.

Q. Was he there during the two hours that you were?—A. Yes, sir; he was there until they made a proposition that we both should go out. The Democrats didn't want their man in and they didn't think it was proper for me to be in there, so we both went out.

Q. Did you go back during the day, after being put out?—A. No, sir.

Q. Did you try to?—A. Toward night I did, it was raining so; so I stayed in there about half an hour and went out again.

Q. Were you put out?—A. Well, he didn't exactly put me out; the policeman thought it was too crowded in there and made a few remarks, and I thought I would take the hint, so I went out.

Q. You went out because of what they said?—A. Yes, sir.

Q. Did the Democratic challenger stay or go out?—A. No; he stayed in there.

Q. How long did he stay?—A. He stayed in until the end.

Q. He was there during the count?—A. Yes, sir.

Q. And you were excluded?—A. I was to stay to wait for the count in order to take it down, so as to sign my name.

Q. Is there a saloon there?—A. In the rear, Chesapeake.

Q. The polling place was in the rear of the saloon?—A. Yes, sir.

Q. Was it separated by a partition?—A. No, it was a built room; there was a door cut clear through, and it was used as a wine room on other occasions.

Q. In other words the election was held in the wine room of a saloon?—A. The Chesapeake.

Q. It was called the Chesapeake?—A. Yes, sir.

Q. There was a door between the wine room and the saloon. Was that closed?—A. Yes, sir.

Q. Was the saloon itself closed?—A. Well, the side door was not; you could come out of the polling place and walk about 25 feet and go inside.

Q. Was the saloon itself open or not?—A. I saw one or two men going in the side door, and so I supposed the saloon was open; I could see the bartender there in his white jacket.

Q. You saw people passing in and out of there?—A. Not the front door; it was locked or closed.

Q. Was there a saloon across the street?—A. Yes, sir.

Q. Was that open?—A. Yes, sir; I went in there with a friend of mine.

Q. Were there any police officers there that day?—A. Yes, sir; three of them.

Q. Were they the police officers who are there regularly on that beat, or were they new officers put there for election day?—A. I think every officer was a stranger there.

Q. Not the same policemen that they have there regularly, but strangers put there for election day?—A. Yes, sir.

Q. Did you see the officers going into that saloon?

(Objected to as not bearing on the issues, and as something which the contestee has no control over in any way.)

A. Why, yes; two of them went across the street to the saloon.

Q. Wait a moment. Do you know the total number of votes cast there?—A. From what I seen when I was there my number was 4, and the total number in in that precinct which I canvassed two or three days showed up 135, but the count was, I believe, 200 and some odd.

Q. Two hundred and five, was it not?—A. Yes, sir; I think so. The total vote, the way I canvassed it, was 135.

Q. Wait a moment. Do you mean the total registered or the total number of votes was 135?—A. Yes, sir; the register; that is what I canvassed two days before.

Q. How did you make that canvass?—A. By going up to each number and taking names, and sometimes the lady of the house gave me the names on a piece of paper for every one residing in her house.

Q. When did you make this canvass?—A. As near as I can think—

Q. Well, how long before the election?—A. That is something I have forgotten, not remembering at the time.

Q. Do you know how long before election? I don't mean how many hours or how many days, but how long before?—A. I disremember the day of the month.

Q. I don't care what day of the month; how long was it before the day of election?—A. It was about two weeks before.

Q. Did you go over the entire first precinct?—A. Yes, sir.

Q. You found how many people?—A. One hundred and thirty-five.

Q. Do you know the total number of votes that were on the registration list?—A. Two hundred and something.

Q. Two hundred and five?—A. Two hundred and five or 208; I don't remember exactly.

Q. Do you know what the total number of ballots cast on the 4th day of last November at that precinct was?—A. So far as I could count, from the way I asked different people what their number was, I got it about as 115.

Q. You don't know what the official returns were, do you?—A. No, sir.

Q. Do you know that 404 were cast there on that day?—A. I know there was not, to my counting. I was there from half past 10, and if 400 got in there I don't see where they came from.

Mr. RICHEY. That is what the rest of us are wondering.

Cross-examination by Mr. BUTLER:

Q. You are a Republican?—A. Yes, sir.

Q. Who put you out?—A. Mr. Nelson. He didn't want his challenger there and he didn't think it right that a Republican should be there, so I go out.

Q. Were you put out?—A. I suppose I was put out.

Q. Don't you know?—A. He suggested to me that I go out.

Q. Who suggested it to you?—A. I seen they didn't want me, so I went out.

Q. But nobody put you out, did they?—A. No, sir; not forcibly.

Q. Mr. Nelson was not a judge or a clerk there, was he?—A. No, sir.

Q. He was not a police officer, was he?—A. No, sir.

Q. He had no authority inside of the polls, did he?—A. I don't know.

Q. He had no authority to put anyone out, did he?—A. No, sir.

Q. He didn't use any force?—A. No, sir.

Q. You went out of your own volition?—A. After I was asked by Mr. Nelson.

Q. You were never put out of the polls, now, were you?—A. No, sir.

Q. You were never prevented from going into the polls at any time, were you?—A. No, sir.

Q. Where do you live?—A. 2235 St. Charles.

Q. What is your business?—A. Well, most anything I can get to do.

Q. What kind of work do you do?—A. Porter work.

Q. Where have you worked?—A. Norvell-Shapleigh Hardware Company.

Q. How long since you worked there?—A. Well, sir, about the 4th—no, the 8th of November past.

Q. Are you working there now?—A. No, sir.

Q. When did you leave there?—A. Since the 8th of November.

Q. You left there on the 8th of November? What for?—A. I just got tired and quit.

Q. You just got tired and quit there?—A. Yes, sir.

Q. What have you been doing since?—A. Porter at another place.

Q. Where?—A. 420 North Third street.

Q. What is that place?—A. Wholesale manufacturing house.

Q. Wholesale manufacturing house, you say?—A. Yes, sir.

Q. You say this polling place was on the corner of an alley near Twenty-third and Olive?—A. Yes, sir.

Q. The saloon is on the corner?—A. Of Twenty-third and Olive.

Q. The saloon is about 50 feet at the back end?—A. No; not at the bank end.

Q. You say there is a wine room there and the polling place was in this wine room?—A. Yes, sir; in the rear of the saloon.

Q. On the corner of the alley—that is 150-foot lot? All these lots are 150 feet, are they not?—A. That is what I couldn't say.

Q. How wide was that wine room?—A. It was a room about 12 foot 9.

Q. About the width of this room?—A. Yes, sir.

Q. And the saloon is about 40 feet away?—A. I don't know—40 or 50 feet.

Q. There was a number of rooms between the saloon and the polling place—small storerooms?—A. I didn't see any; I think maybe there was one wine room in between; I don't think there could have been a lot.

Q. Mr. Nelson was a candidate at that election for office?—A. Yes, sir; I think he was.

Q. Were you authorized by anybody to make a canvass?—A. Yes, sir.

Q. By whom?—A. Charles Day.

Q. Charles Day?—A. Yes, sir.

Q. He was Republican committeeman, was he not?—A. Yes, sir.

Q. Of that ward?—A. Yes, sir.

Q. To whom did you report your canvass?—A. To him.

Q. Who assisted you in making the canvass?—A. A young man named Harry Reid.

Q. You were not authorized as a judge or clerk of election to make that canvass, were you?—A. As a judge?

Q. Yes; you were not a judge or a clerk?—A. No, sir.

Q. You were not one of the election officers?—A. No; only as a challenger.

Q. How many houses did you visit in that precinct in making this canvass?—A. Well, I went from Jefferson avenue—

Q. I don't care about that: how many houses did you visit?—A. I couldn't say: there are a lot of houses in that precinct.

Q. Still you only found 135 men?—A. Yes, sir.

Q. Couldn't you approximate how many houses you went into?—A. I could not: I can give you the boundary line.

Q. How many days did you consume in taking the testimony?—A. Two days and three-quarters of the third day.

Q. You don't know what the official registration of that precinct was?—A. Yes, sir: 135.

Q. That is your official work?—A. Yes, sir.

Q. But you don't know what the official return is by the judges of election, do you?—A. Either 208 or 210.

Q. How do you know that?—A. Because I seen Harry Reid had a slip of paper given him by some man, and he took the count down and it showed 208.

Q. You never saw the official poll books?—A. No, sir.

Q. You don't know what the poll books of the precinct called for?—A. No, sir.

Q. You don't know anything about that, do you?—A. No, sir.

Q. You say this canvass was made two weeks before the election?—A. Yes, sir.

Q. How many days of registration were left after you made this canvass?—A. I don't think any days: the last day for registration was on the 14th of the month.

Q. Was there no day of registration after that?—A. No, sir; not allowed to register after that.

Q. You are positive you made your canvass after the last day of registration?—A. Yes, sir.

Redirect examination by Mr. RICHEY:

Q. You say Mr. Nelson was a candidate for some office?—A. Sir?

Q. You say Mr. Nelson was a candidate, for what?—A. Senator.

Q. For State senator?—A. Yes, sir.

Q. What is Nelson's business?—A. That is something I don't know; I haven't seen him for some time; I used to know him around Poll Alley, but haven't seen him for a long time.

Q. You say Harry Reed helped you make this canvass?—A. Yes, sir.

Q. Where is Harry Reed?—A. He is a barber, and his shop is at Twenty-second—Twenty-third and Morgan.

HENRY EDWARDS (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Henry Edwards.

Q. You live at 1405 Lucas avenue?—A. Yes, sir.

Q. What is your business?—A. Well, rooming.

Q. You keep a rooming house?—A. Yes, sir.

Q. Where?—A. At 1405 Lucas avenue.

Q. What ward is that in?—A. Well, I don't really know; I don't deal in politics much.

Q. Don't you know what ward that is in?—A. No, sir, I don't; there ain't no use my telling you a story.

Q. You don't know?—A. I don't know.

Q. (After examination). It is the sixth precinct, Fifteenth Ward. Now you also are interested in the business that is conducted at 512 North Levee, are you not?—A. Well, I was not much interested, because my wife done that; when my wife wasn't sick she always tended to her own business.

Q. What is your wife's name?—A. Beckie Edwards.

Q. Where does she live?—A. She used to live down at 512 North Levee, but she is up at the other place; we shut down the other place.

Q. When did you shut it down?—A. About two or three weeks ago.

Q. What business was she in at 512 North Levee?—A. Well, she run a rooming house, serving meals.

Q. How many stories are there in the building 512 North Levee?—A. The first, second, and third.

Q. What is the first story used for?—A. Well, for bedding.

Q. The first story?—A. Oh, the first story, you mean; that is where we served the meals.

Q. What did you do with the second floor?—A. Well, we rented that to peoples that was in and out nights—like that—peoples that wanted beds.

Q. How many beds were there on the second floor, Mr. Edwards?—A. We had four.

Q. Four? And on the third floor: what do you use that for?—A. For beds.

Q. How many beds?—A. I think about six or seven.

Q. You think you have six or seven beds there?—A. Yes, sir.

Q. Now, how often were you down there at 512 North Levee?—A. I used to eat there pretty regular at dinner time; sometimes she would bring my supper to me.

Q. You were down there often?—A. Frequent; yes, sir.

Q. Every day?—A. Yes; I used to do the marketing for her.

Q. You knew the business carried on there—conducted at that place?—A. Yes, sir.

Q. What class of people stopped with you?—A. Well, people—river men, in and out.

Q. Transients?—A. Yes, sir.

Q. Here to-day and gone to-morrow?—A. Gone to-morrow; yes, sir.

Q. They were not regular, did not stay there all the time?—A. I don't remember having no eight; I think I have about six of them.

Q. Do you know Frank Wright?—A. No, sir.

Q. Did he live with you permanently, and was he there on election day?—A. No, sir.

Q. Do you know Will Simms?—A. No, sir.

Q. Did he live at 512 North Levee on election day?—A. Will Simms?

Q. Yes.—A. I don't know him.

Q. If he had lived there you would know it?—A. I would know him.

Q. Do you know Columbus Stewart?—A. No.

Q. Did he live at 512 North Levee on election day?—A. I don't know him.

Q. Did he live there?—A. I don't think he did.

Q. John Thomas: did he live there on election day?—A. John Thomas? no, sir; never lived there.

Q. Did Sam Merry live there on election day?—A. No, sir; he never did.

Q. Robert Tuck?—A. Tuttle? No, sir.

Q. Did Edward Smith live there on election day?—A. No, sir.

Q. Did Will Smith live there on election day?—A. No, sir. Will Smith? not that I know of.

Q. Did Henry Perkins live there?—A. Yes, sir.

Q. How long?—A. Been living with me about three years.

Q. At that place?—A. Yes, sir.

Q. Did Jonas Mosley live there on election day?—A. I don't know.

Q. Did he live there?—A. No, sir.

Q. Did William McNeil live there on election day?—A. No, sir; he is an enemy of mine; he wouldn't live there.

Q. He did not live there?—A. He ain't sleep there ten, twelve nights of my knowing.

Q. When did he sleep there?—A. Oh, about six or seven months before election.

Q. Do you know Joshua J. Jackson?—A. No, sir.

Q. Did he live at 512 North Levee at election time?—A. No, sir.

Q. Did Archie Jones live there?—A. Yes, sir; he lived there.

Q. How long?—A. Oh, Archie been living there off and on a little over a year, with us.

Q. Did Richard Fox live there on election day?—A. No, sir.

Q. He did not?—A. No, sir.

Q. Did John Cornish live there on election day?—A. No, sir.

Q. Did Julius Cook live there on election day?—A. No, sir; he never stayed in my house; I know him well.

Q. Did Joseph Banister live at that place on election day?—A. He used to stop around there with an old lady; I can give you her name; I seen him around there frequent.

Q. He didn't stop with you?—A. No, sir.

Q. Did Louis Bostic live there on election day?—A. No, sir.

Q. Did Tom Abernathy live there on election day?—A. Did he live there? No, sir; not at 512.

Q. Did Green Allen live there on election day?—A. No, sir.

Q. Did James Lewis live there on election day?—A. No, sir.

Q. Did Henry Lee live there on election day?—A. I don't know him.

Q. Do you know William Lee?—A. Yes, sir.

Q. He lives at 409 North Levee, doesn't he?—A. Yes, sir; he lives down the next block from me.

Q. Did William Lee ever come to you and ask permission to register people from your house?—A. No, sir; he never came to me.

Q. Who did come and arrange with you to register names at your house?—A. Oh, no; he didn't do that.

Q. Did he send anyone?—A. No, sir.

Q. Were you down at the polling place on election day?—A. Yes, sir.

Q. Did you see any repeaters?—A. No, sir.

Q. Going in there and voting more than once?—A. No, sir; I didn't see nobody repeat or vote any more than once.

Q. Now, at 1405 Lucas avenue—the sixth precinct of the Fifteenth Ward—what sort of a house have you there, Mr. Edwards?—A. Rooming.

Q. How many people rooming in your house at 1405 Lucas avenue? How many were there on election day; how many men?—A. I don't think but one on my register, and he was Tobe Williams.

Q. Tobe Williams was on your register?—A. Yes, sir.

Q. And he was the only man who lived at 1405 on election day?—A. Yes, sir; he was the only man. I had two young boys there, but they wasn't old enough to vote.

Cross-examination by JAMES J. BUTLER:

Q. How much of your time, Mr. Edwards, did you spend at your rooming house, 512 North Levee?—A. Well, I was there quite frequently.

Q. You live at 1401 Lucas avenue?—A. Yes, sir.

Q. Keeping a rooming house there also?—A. Yes, sir; I am in one place and then in another.

Q. How many roomers have you at 512 North Levee?—A. You mean at the time of the last election?

- Q. Yes, sir.—A. I don't remember but six or eight men.
- Q. You frequently have more than that, don't you?—A. Yes, sir.
- Q. You frequently have a house full, do you not?—A. I had a house full quite often, in and out.
- Q. You don't keep track of who they are?—A. Oh, I have a book.
- Q. You have a book to keep track of them all?—A. Yes, sir.
- Q. Have you that book here?—A. No, sir.
- Q. Do you make them register as they come in?—A. Well, pretty much everybody that is there registers.
- Q. There's lots of them that are not registered, though?—A. Well, I don't know.
- Q. You don't keep the book, do you?—A. No; but when I stay there I know, and when I don't stay there the reason I know is I leave a man there, Henry Perkins, and he is a good writer, and he was tending to the place then.
- Q. Was he at the place during the election?—A. Oh, yes, he was there.
- Q. He was attending to it during the election?—A. He was there, and he was attending to it; he was around there straightening up the books.
- Q. He was used to handling the books?—A. Yes, sir.
- Q. You are not in a position to swear just how many men were there at the time of the election, or how many men had been sleeping there off and on at that time?—A. Well, I don't know how many men was there. . You mean how many men was there that could vote, don't you?
- Q. I don't ask you that. You are not the judge of who could vote or anything of the kind, but how many men were stopping there, as you say, off and on.—A. Well, I judge six or eight were stopping there that could vote.
- Q. According to your idea?—A. Yes; if they wanted to register they could vote.
- Q. How many other men were stopping there that could not vote, according to your theory?—A. Well, some 300 a year, during the whole season.
- Q. During the voting season they stopped there, at home, or went out on boats, or were at work around there?—A. Some of them.
- Q. And those that were away, when they came back they stopped with you again?—A. Some of them.
- Q. How many roomers have you at 1405 Lucas avenue?—A. Men or women?
- Q. Well, men.—A. Well, I have got a couple of men driving coal wagon now for the Polar Company.
- Q. How many women have you got there?—A. Well, I have only two women.
- Q. Are they single or married ladies?—A. Well, one, I don't know whether she is single or married; she is there by herself. She is working for my wife. I never see her with any man.
- Q. What about the other woman?—A. The other woman only works out in the West End.
- Q. Those are the only roomers you have in the house—four?—A. No; I think more than that. You are asking me and I am telling you.
- Q. Two men and two women, and how many more?—A. That is four, and one woman is five, and myself is six.
- Q. How many roomers have you got there?—A. I have got five roomers.
- Q. That is all the roomers that you have in the place?—A. That is all I got at present—only Tobe Williams, there. I have got a dining room.
- Q. Do you know Tobe Williams?—A. Yes, sir.
- Q. Do you know James Banson?—A. Yes; I know James pretty well.
- Q. What does James Banson do for a living?—A. Well, I couldn't really say.
- Q. He doesn't live at your house, does he?—A. Well, he is down at 512—around there. He generally pays for staying around there, as far as I can give an account of him.
- Q. What do you mean by "staying around there?"—A. At 15 cents a night.
- Q. He is not one of the ones that you consider as entitled to vote from there?—A. Well I didn't have Jim on my list at all, to tell the truth.
- Q. Jim is one of the fellows that wasn't on your list, but he is a fellow entitled to vote?—A. I didn't have him on my list, and I don't believe he did live there.
- Q. You don't believe he is entitled to vote, according to your notion, do you; he is not among the 8 people that you think were entitled to vote there, is he?—A. Not if I knows him.

MAJOR FOWLER (colored), of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

- Q. Your name is Major Fowler?—A. Yes, sir.
- Q. You live in the rear of 2650 Morgan street, in the fourth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. How long have you lived there?—A. I have been living there about two years and more.

Q. You are a man of family?—A. Yes, sir.

Q. How long have you lived in this city?—A. Ever since 1882.

Q. You have lived at these premises for two years past?—A. Yes, sir.

Q. Are you well acquainted at those premises?—A. Yes, sir.

Q. Are you well acquainted at 2650 Morgan street, which is part of the lot?—A. Yes, sir.

Q. On the back part of which you live?—A. Yes, sir.

Q. You are well acquainted with the premises at the front?—A. Yes, sir.

Q. What are those premises? Are they stores or residences?—A. Residences.

Q. Flats, are they not?—A. Yes, sir; flats.

Q. I will ask you if George Washington lives at 2650 Morgan street, and if he lived there on election day or at the time of registration some few weeks before?—A. I never heard of him around there at all. I wouldn't know him if I saw him.

Q. If he did live there you would know it?—A. I would know him if I had seen him.

Q. And you say he did not live there on election day?—A. No, sir.

Q. Do you know Edward Wall, or Edwin Wall?—A. I don't know him.

Q. Does he live there now, or did he live there on November 4, election day?—A. I don't think there is any Wall there at all; I don't know him.

Q. If he did live there you would know him?—A. Yes, sir.

Q. And you say he did not live there on election day?—A. No, sir; he didn't live there.

Cross-examination by Mr. BUTLER:

Q. Your name is Major Fowler?—A. Yes, sir.

Q. Where do you reside, do you say?—A. At 2650, rear, Morgan.

Q. There is a front on Morgan street there?—A. Flats; yes.

Q. How many flats are there in front?—A. At 2650 there is four flats.

Q. How many rooms altogether?—A. Twelve; three rooms to a flat.

Q. Twelve rooms at 2650?—A. Yes, sir.

Q. Who lives in those twelve rooms?—A. The three rooms upstairs at 2650, Ernest Arnett lives.

Q. Who lives in the next?—A. Downstairs, Rowen brothers.

Q. Who lives in the other two?—A. And Samuels; they live across the way.

Q. Who lives in the other one?—A. And upstairs there is a gentleman there; he has not been living there so long; he is lately married; I forget what his name is.

Q. Do you know who lived with those people?—A. They lives there by themselves; Arnett is the only man I see in his house, and Rowen is the only man I ever see in his house.

Q. You don't know whether they have anyone else living with them or not?—A. There don't anyone live with them.

Q. You don't know that, do you?—A. I never see anyone there.

Q. Do you know it of your own knowledge? Do you know who is sleeping there nights?—A. I never see any coming out of the house.

Q. You don't sleep there yourself?—A. No, sir.

Q. You sleep in the rear. You simply recollect those names as living there?—A. Yes, sir.

Q. If there are other people who come to see them there, that you don't know?—A. No, sir; the only ones that come is Mrs. O'Brien's brother and Mr. Arnett's brother.

Q. Are you there all the time?—A. I sell coal right there in the block.

Q. Whereabouts do you sell the coal?—A. 2623 Morgan.

Q. That is quite a distance from 2650? That is across the street and over half a block farther in the block, isn't it? You are at your coal yard all the time, are you not?—A. Not all the time; I am out delivering.

Q. What time do you go to your coal yard?—A. Six or 7 o'clock in the morning.

Q. And remain there until what time at night?—A. About 9, sometimes 10 o'clock.

Q. And you don't know anything that transpires around 2650 Morgan street except after you get there at night?—A. Only what I see.

Redirect examination by Mr. RICHEY:

Q. Does Ed. Arnett live at 2650 Morgan street?—A. No, sir; he don't stay there at all. Just now and then he comes there.

Q. Do you know where he lives?—A. No, sir; he stays at the saloon all the time, to my knowledge.

Q. What saloon?—A. Ernest's saloon, at Twenty-third and Morgan.

Q. Does he live at the saloon?—A. I don't know. I see him there most every time I go in there.

Q. Who was it that lived at 2650 that left and went to Chicago a number of months ago?—A. That was a man named Robinson.

Q. James S. Robinson?—A. I don't know his first name; that was over a stable where he lived, across the street.

Q. Was there anyone by the name of Robinson who lived at 2650 Morgan street on last election day?—A. There was a Sol. Robinson, Mrs. Samuels's brother.

Q. James Robinson went to Chicago before election?—A. Yes, he lived at Chicago. I think the name was James.

Q. When did he go to Chicago to live?—A. Oh, he is gone about five months ago.

Q. And he wasn't living at 2650 Morgan street on election day?—A. No, sir.

Not being able to complete the taking of said depositions this day by reason of the absence of witnesses, I hereby adjourn the further taking of the same until Monday, December 29, A. D. 1902, at 10 o'clock a. m.

Contestant's Exhibit No. 2, of February 5, 1903. A. R. Russell, notary public.

HARRY B. HAWES, of lawful age, being produced, sworn, and examined on the part of contestant, deposes and says:

Direct examination by Mr. FISSE:

Q. What official position, if any, do you hold in the city of St. Louis?—A. President of the police board.

Q. How long have you held that position?—A. Since the 21st of August, 1899.

Q. That is, from the time when the so-called new police law went into operation?—A. Yes, sir.

Q. Referring to the law passed at the session of 1899?—A. Yes, sir.

Q. Had you held office prior to that time as president of the board of police commissioners or as a member of the board?—A. As a member of the board.

Q. For what length of time did you hold office as a member of the board prior to the enactment of a new police law?—A. I am not sure; I think about a year, though.

Q. You were vice-president of the board?—A. Yes, sir.

Q. During that time you were chief executive member of the board?—A. Yes, sir.

Q. What do you know about the drafting and passage of this new police law?

(Objected to as immaterial.)

A. When I became the vice-president of the police board I soon discovered that we had about one-third less policemen than we ought to have to properly police the city of St. Louis. I got the returns from the large cities of the country showing the number of miles policed by the police and the different conditions, and I found that St. Louis had nearly one-third less police than any other city of its class in the United States. There was complaint made continually of the fact that policemen did not appear in neighborhoods. Rapid transit had gone out into the west end and opened up large tracts of land into residence portions heretofore unoccupied. I put on foot an investigation as to the proper way and the best possible way to secure an increase of the department. I found that it had been the custom of the local legislature here—the house of delegates and council—to make demands upon the police board to name new appointees when they were made. I accounted in that way for a great many incompetent men we had to deal with upon the force. I wanted the board to be relieved from the local tyranny of the municipal assembly. Our bill was introduced for the purpose of increasing the number of men, systematizing the pay, and bringing the department up to modern systems of policing a big city. That was the object we sought to attain.

Q. Well, who prepared the bill?—A. Well, that is a question that would be difficult for me to answer for this reason: There were a number of gentlemen working on the bill. I had something to do with it myself, and one of my partners had. Mr. R. H. Kern passed on the bill; Mr. F. N. Judson passed on the bill; Judge H. S. Priest passed on the bill, as I recollect it, and there may have been other lawyers that had something to do with it. As to the provisions of the bill, the board of police commissioners called the chief and some of the experienced captains into consultation with them to know how many men we would want to have and how the officers ought to be divided, and secured from them their expe-

rience as police officers, and the details of the bill were worked out in that way by members of the board.

The bill as it stands to-day is practically a reenactment of the law of 1861. There are very few changes in it, excepting the increase of the number of men and the increase of pay. The average increase of pay for the department is about 99 cents a month for each patrolman.

There were formerly 8 police districts, and the city had grown to such an extent that we thought it necessary to increase the number of police districts and make it 12. We added 12 lieutenants. The lieutenants were added for the reason that it was the former custom to place a district in charge of a sergeant, but we found that the sergeant did not have proper respect from his men that he ought to have and that every large police department had the office of lieutenant, so we created the office of lieutenant at an increase over the pay of a sergeant of \$10 a month. Then the office of inspector was created, and I believe those were the only two classes of offices that were created at this time that did not formerly exist under the old law. The details were worked out by experienced men in the department.

Q. Haven't you forgotten to state the chief difference between the new police law and the old?—A. No, sir.

Q. Namely, the control of the fiscal affairs?—A. No, sir. As I understood it, the law of 1861 carried with it the same power of compulsory payment on an estimate made by the police board that the law of 1899 does, the difference being that in 1861 it said there should be so many policemen, and the law of 1899 does the same thing. The city between 1861 and 1899 had been gradually growing, and instead of going to the State legislature to reenact the law of 1861, with an increase of policemen, it had secured an increase from time to time from the municipal assembly.

Q. Isn't there this marked difference, however, that prior to 1899 the municipal assembly of the city of St. Louis had power to appropriate money and determine how much money should be appropriated for the support of the police department; that after the new law went into effect that power was given exclusively to the police board, and they are given authority to incur whatever expense is, in their judgment, fit, and that their order operates as a direct warrant on the city treasury for the payment of the expense, without action by the city afterwards?

(Objected to on the ground that the two laws are public statutes and speak for themselves.)

A. I do not understand that that is the effect of the new law. I do not understand that any estimate that we may make for appropriations is made any more compulsory upon the local assembly here to make appropriations for it than it was under the law of 1861. The difference is, that in the law of 1861, which said, I believe, that we should have 150 police officers or some number of that kind. I take it that when that law was passed they had the same remedy then that they have now in the law of 1899. That is my judgment and the judgment of the various counsel that passed on the bill.

Q. Now, the new law went into effect and the police department was immediately largely increased, was it not?—A. Yes, sir; some 340 police officers.

Q. Upon what recommendation were those new officers selected?—A. You mean the officers in the department?

Q. The new officers, those then appointed. Upon what recommendation were they selected?

(Objected to as immaterial.)

A. I want to say that I think you are going clear out of the case in this matter, and I think your questions are unfair. I think you are taking an absolutely unfair advantage of this proceeding to go into affairs that have no connection with it directly or indirectly.

Q. It is part of the allegation in the petition in this case, Mr. Hawes—you probably have not seen it—that the police department here is partisan and that it took a direct partisan interest in this election, and because of that direct partisan interest it contributed greatly to the result of the election.

Mr. MOORE. All of which we submit is totally immaterial, for the reason that the reorganization of the police department occurred long prior to the election.

A. Well, the recommendations upon which these men were of various kinds, namely, coming from men in whose judgment I had confidence, as to their character and ability, and confidence in the reference which they had given.

Q. Mostly Democratic politicians gave the recommendations, didn't they?

(Objected to as immaterial.)

A. Well, not necessarily so; no, sir.

Q. Well, I say the majority of the recommendations of the new men proceeded from Democratic politicians. Isn't that so?—A. I would presume that that would be so. I would, however, qualify that by asking a definition of the term "Democratic politician." If you mean all Democrats are considered politicians, necessarily then your question would be absolutely pertinent; otherwise it would not.

Q. Isn't it also true that the new men appointed at the time of this increase of force were actually Democrats in politics?

(Objected to as immaterial.)

A. I don't know that that is so.

Q. Do you know that it is not so?—A. No, sir; I don't know that it is not so.

Q. Will you deny that it is true that the majority of these men are Democrats?—A. I have answered that question. I think, in my former answer. I will say this—I have never inquired into whether a man was a Democrat or not who came to me with an application for a position in the police department.

Q. But the credentials that you received showed pretty well whether he was one thing or another, didn't they?—A. That is a question of judgment with me. It was never made any point of.

Q. You were mostly influenced by credentials appearing over signatures of men with whom you were acquainted?—A. Yes, sir.

Q. And whom you knew?—A. Yes, sir.

Q. And so from those credentials you could judge whether persons who recommended and were sponsors for those applicants whether they were Republicans or Democrats, could you not?—A. As a rule; yes, sir.

Q. You said a while ago—before I forget it—you gave the names of certain attorneys with whom you consulted who had part in preparing of the police bill. Is it not true that every gentleman whom you named in that list of attorneys is a Democrat?—A. Well, I don't know whether they are or not.

Q. Now, Mr. Judson—is he not a Democrat?—A. We can't tell whether he is or not, just now.

Q. How about Judge Priest?—A. Well, I think Judge Priest is a Democrat and Mr. Kern is a Democrat.

Q. Did you mention Mr. Overall's name?—A. Mr. Overall at that time had nothing to do with the law.

Q. What other names? I thought you had mentioned his name; that is the reason I spoke of him.—A. No, sir.

Q. The other names you mentioned—your partner, for example?—A. No, sir; he is a Republican.

Q. Sir?—A. He is a Republican.

Q. Can you think of any other Republican except your partner who was consulted in the matter of drafting that bill?—A. No, sir.

Q. It was a matter of considerable importance, wasn't it?—A. It was of the very greatest public importance. The city was without adequate police protection. Property holders and taxpayers were complaining about it, and it was important and a great necessity that the police department should be increased. I considered it of the gravest importance.

Q. Do you mean to imply that you selected counsel from among Democrats or quasi Democrats only for the reason that there were no Republicans who were fit to give advice in such a matter of public concern?

(Objected to as immaterial.)

A. Well, it was a matter with me of getting the best legal advice in the city. Now, the gentlemen that were retained were the best counsel in the city, according to my judgment. They may not be, according to yours or other persons.

Q. The fact is you did not take into your counsels at that time, or your confidence, any except a few Democrats.—A. They were all Democrats; yes, sir.

Q. Then the bill being drafted, who caused it to be presented?—A. I did.

Q. What measures were taken after that to secure its passage?

Mr. MOORE. We object to this generally. I think it is immaterial and irrelevant and incompetent to the issues in this matter.

A. The bill was handed by me, as president of the police board, to Mr. John W. Drabelle. Senator John W. Drabelle, who introduced it in the senate. I made what arguments I could before the committee, the joint committee of the house. I wrote articles in the papers for it, issued a pamphlet describing the law of 1861, showing the growth of the city and necessity for the increase, and pointing out the conduct of the corrupt local assembly here, which demanded that in giving men to the police department they should have the power of naming them, practically depriving the police board of any authority in the matter of naming who should become members of the department. I showed a comparison of the numer-

ical force of this city with other large cities and used such arguments as I deemed proper to secure its passage.

Q. What other means were used besides those which you have just detailed?—A. None that I know of.

Q. Who else took any interest in the matter and appeared before the legislature of any of the committees to urge the passage of the bill?—A. I expect that a great many people took a deep, active interest in it.

Q. Various delegations went to Jefferson City, among them a delegation of the police officers. Isn't that true?—A. A delegation of police officers went to Jefferson City, one from each branch of the service, to explain the law to the committee. There was a patrolman, a sergeant, a captain, and the chief of police. The senate committee was ignorant of police affairs, and they wanted some explanation about the various matters. They wanted information about the office of lieutenant, and they wanted practical information from men who knew the necessity of an increase. We sent up as a result of that sentiment which we thought existed a practical man from each department in the city to speak before the senate committee.

Q. How much money was raised altogether to pay the expenses of drafting this law and securing its passage?—A. That I don't know. It was, I presume, \$4,000 or \$5,000, probably; possibly may have been less than that.

Q. How was the money raised?—A. Through contributions in the department.

Q. How were they solicited from members of the department?—A. I don't know.

Q. Who had charge of that matter of securing the contributions?—A. I think Dr. William R. Faulkner, of the mounted stables—superintendent of the mounted stables—was chairman of the committee.

Q. Who appointed him such, or authorized him to get these subscriptions from members of the department?—A. My recollection is not clear as to how he was appointed, but I presume that there was a committee created by the men themselves.

Q. Do you know how the men themselves came to take any action on the subject?—A. Because of the agitation in the papers and the necessity of the increase. The men were walking enormous beats, some of them working from fourteen to sixteen and as long as eighteen hours a day. They were poorly paid; they had had their pension taken away from them—

Q. You say poorly paid?—A. Yes, sir.

Q. Didn't I understand that the increase amounted only to 99 cents a month?—A. I say that the average increased pay of the new bill was 99 cents a month to the patrolmen—probationary patrolmen. They felt that the firemen of the city of St. Louis received \$90 a month; they had regular hours and a pension; they were partisan Republicans; and with the police pension having been taken away from them they were entitled to some consideration also, and not to be treated as different by the municipal assembly from any other public officers of the city of St. Louis.

Q. Was this disposition to contribute money for the passage of this bill spoken of among the men a feeling that was spontaneous among them?—A. They felt that they had been suffering; they had hard jobs, and the amount of work they had to do and the hours they had to perform were long, and the general discussion in the newspapers—they were full of the subject for some months before the bill was introduced. If that is what you mean by "spontaneous," why then you could call it spontaneous.

Q. Well, do you mean to say as part of your testimony that these contributions on their part were the result of a spontaneous combination among the men—a voluntary action upon their part? Wasn't it at the suggestion or at the instance of the committee that you have spoken of that took charge of the drafting and passage of this bill?—A. I mean to say that I think that the men—call it spontaneously or otherwise—were so impressed with the fact that they were working longer hours and were poorer paid and had more work to perform than any other class of the city's servants—they had constantly before their minds the positions of the St. Louis firemen, who has a life position and a pension when he retires or upon death and draws \$90 a month—they thought that because they were looked upon as Democrats they were discriminated against by the local municipal assembly, in which view I acquiesced. The matter was fully discussed in the papers, but whether it was spontaneous or not is a question of defining the term "spontaneous." I believe that they all favored this.

Q. I want to know simply the fact. Did these men come to the committee and volunteer to give their money or did the committee ask them to raise the money to give it?

(Counsel for contestee makes the same objection to this testimony as before.)

A. How do you mean "coming to the committee?" Do you mean did they march up in a body?

Q. I think you understand the purport of the question.—A. You will have to try to explain it a little more clearly, please.

Q. Did these men, these policemen, come and voluntarily offer to give money or did the committee in charge of this bill ask them to contribute the money—raise the money?—A. I presume that the committee was elected by the men to represent them: selected in some way by the men, and then that they voluntarily contributed.

Q. How did they come into communication with your committee that was in charge of the bill to secure its passage?—A. They came into it because of their own common interest they had in securing a lessening of the enormous work which they were performing, and because it interested them in that way, I presume.

Q. You have no other explanation to give of the fact that these men contributed \$4,000 or \$5,000?—A. No, sir.

Q. Now, what was the scheme of canvassing? What was judged to be the proper contribution? How was that divided?—A. I do not recollect how much that was. I presume that it was uniform. I don't know at this time what it was. I did know at one time, but I have forgotten.

Q. There was a fixed ratio which determined—a fixed rule which determined how much each patrolman should pay and how much each sergeant and how much each captain would contribute to this fund?—A. No, sir. There was an agreement amongst them that these men that wanted to contribute should contribute a certain per cent, but there was no fixed rule as to whether a man should contribute or not.

Q. Do you know any member of the police department who did not contribute according to that fixed rule or ratio?—A. At this time I can't name anybody, but I remember that at that time there were some that did refuse.

Q. Are they still members of the department?—A. I suppose so; yes, sir. At least I do not know anything to the contrary.

Q. You have spoken of the pension which these men lost. Do you mean to imply that they lost that through any action of the municipal assembly?—A. No, sir.

Q. That was through a defalcation of one of the officers of the pension fund whom they had themselves elected?—A. No, sir; and you know that that is not so, too, Mr. Fisse. You are just trying to drag into the record a thing that you know is not so when you ask the question.

Q. You are mistaken about that, because I have it in my mind that that is the fact.—A. You are displaying a great ignorance of the local situation, then.

Q. It was through no action at least of the municipality or the local officers that that pension fund was disrupted?—A. No, sir; and through no action of any officer of that association. It was by reason of the repeal of the State law taking certain fees from the St. Louis Police Relief Association that had formerly gone to that body.

Q. Do you know whether the firemen had any such resource as that to support their pension fund?—A. Yes, sir; I am sure there is a provision made for a pension coming from the city.

Q. That is, by virtue of an act of the legislature, the same authority that passed the other bill?—A. Yes, sir.

Q. The other bill that you speak of?—A. Yes, sir.

Q. A rather recent statute, isn't it: passed within four or five years?—A. Well, it may have been that long ago. It has not been since my connection with the department.

Q. What orders were given to the chief of police by you or the superior officers of the department with reference to the behavior of the department on the day of the last election?—A. Only a general instruction which was given the chief of police outside of his—in fact, that was the only instruction that was given—in relation to the deputy sheriffs. The Republican papers were claiming that Sheriff Pohlman was going to swear in a large number of deputies to be used upon election day. I can conceive of no other reason than that of intimidation of voters. The night before election the St. Louis Star published an article with an interview from Sheriff Pohlman and Ford Smith, his attorney, in which they stated that a thousand deputy sheriffs would be sworn in at the Merchants' League Republican Club that night and given deputy posse men's badges to be used upon election day. My instructions to the chief of police were that no deputy sheriff should be

allowed to intimidate voters or to interfere with the progress of election or interfere with the elective franchise of any citizen. That was the general instruction received from me.

Q. You understood these deputy sheriffs were appointed for the purpose of serving a great number of warrants that had been issued against men for offenses against the election laws. Isn't that true?—A. No, sir. I understood that the Republican city central committee met and after consulting with Judge Selden Spencer and other circuit judges of the city of St. Louis—Republican judges—they advocated this issuance of blank warrants, a heretofore unheard-of and outrageous proceeding, which were to be filled up upon election day and served in and around the polls for the express purpose of intimidating voters.

Q. Yes. Did you see any such blank returns at any time?—A. No, sir.

Q. Did you inquire of Judge Spencer or any of these other Republican judges if they had participated in or authorized any such arraignment?—A. No, sir.

Q. What did you do to find out if your information was correct before you gave this order to the chief of police?—A. I relied upon the Republican papers of St. Louis for my information.

Q. Will you please bring a copy of any Republican paper which published the statement that the judges of the circuit court of this city, upon application of the Merchants' League Club or Sheriff Pohlman, had agreed to appoint deputy sheriffs and that they should be supplied with blank warrants to intimidate voters? Will you undertake to bring me that paper so that I may put it into the record, Mr. Hawes?—A. No, sir; I will not undertake to do that—

Q. Will you—

Mr. MOORE. Let him finish.

A. I will not undertake to do anything of the kind. I will undertake to bring you articles from the St. Louis Star that, if you will put them into the record, knowing the political conditions as well as I do, you will know the inference to be drawn.

Q. I shall be glad to have you bring them and I will put them into the record—everything that you bring—A. I will bring you one or two articles of that kind, sir.

Q. Now, you didn't see any blank returns?—A. No, sir; nor deputy sheriffs, either.

Q. You knew there were complaints about false registrations prior to the election?—A. I didn't think there was any honest complaints, to be frank with you. I thought it was a partisan cry.

Q. Well, I think before we get through, Mr. Hawes, we will be able to convince a man of even your superior honesty that there was fraudulent registration.—

A. Well, Mr. Fisse, I want to say right here that I think I have a superior idea of honesty, and I shall make it a personal matter with you—

Mr. MOORE. I wish to note an objection to Mr. Fisse's remark. It is not only irrelevant and immaterial, but it is grossly brutal and insulting.

Mr. FISSE. I simply said that I would convince you, as an honest man, that there was a great deal of fraudulent registration before we are through with this contest.

Q. Now, these deputy sheriffs were assembled at the Four Courts on the morning of the election, were they not, at about 5 o'clock?—A. I don't know, sir. I was in bed at that time.

By Mr. FISSE:

Q. Now, Mr. Hawes, do you mean to say that you as one of the principal peace officers of the city of St. Louis undertook to array yourself and the police department against the sheriff to prevent his serving any warrants inside on election day?—A. Absolutely and positively no.

Q. Then what was the purpose of the order which you gave to Chief Campbell?—A. The purpose of the order was this—I will give the order in full so that you will understand it when you hear it: it will be self-explanatory. The St. Louis Star, principally, had contained a statement that a thousand deputies were to be sworn in at the Merchants League Republican Club for duty upon election day. It was apparant to me, having a knowledge of the conditions, and, further, being advised by Attorney-General Crow—

Q. Do you mean to say that this is the order you gave to the chief?—A. No; this was not the order; I will give you that order. It was considered that the presence of these deputies for any other purpose than that of serving warrants was illegal, and I therefore instructed Chief Campbell not to allow deputies to stand around the polls and to show them no more consideration than ordinary citizens,

except the deputy was about to serve a warrant, and in that case he was not to be interfered with. That was the substance of my verbal order to Campbell.

Q. And that you directed to be transmitted to the commanding officers and captains?—A. Yes, sir.

Q. Now, before that time you had touched on this subject of deputy sheriffs in a public speech that you made in this city, had you not?—A. Yes; I did.

Q. Do you remember what you said in that speech?—A. Practically the same thing that I have just said before.

Q. Didn't you say, further, that if the deputy sheriffs came to the polls the police would be authorized to shoot them?—A. No, sir. No, sir: I never made any such statement.

Q. Never made any such statement as that?—A. No, sir. I made this statement in the public press, on the platform, and wherever the subject arose, that a deputy sheriff had no more right in and around a polling place for the purpose of intimidating voters or performing any other duties than that of serving warrants than any other man, and that if they attempted any such action they should be treated in the same way as any other disturber of the peace. I had published interviews to that effect in the Republic.

Q. Who were those voters to be so intimidated about which you were so solicitous?—A. Citizens of St. Louis.

Q. Yes. Now, what particular ones?—A. Well, none in particular.

Q. You know that the Star had been publishing for quite a time before election day the names of persons whose registration was charged to be fraudulent, because having been addressed by registered letters and otherwise searched for they had not been found at the place where they were registered. You are aware of the fact that those publications were made, are you not?—A. I was aware that some of the gentlemen in the employ of the Federal Government were using the machinery of the Government, as I understood it, to interfere with the local election here. I did not know how far it was going or how much credence to place in the public reports.

Q. I will ask what you saw in the Star concerning the names of persons who had been addressed registered letters and not reached by that means who were published as having been fraudulently registered? You saw lists of that sort every day for a week or so before election?—A. I never read any of those articles. I want to be frank and tell you why it was. I very seldom read those articles in the Star or anything in the Star relating to politics, unless it pertains to the duties of the department.

Q. False registration, you think, has no relation to the duties of your department?—A. Well, now, do you think that I think that?

Q. I simply asked you. I want to remove that implication from your last answer, if that is the way you felt about it.—A. I mean if it was any actual charge—any crime charged. Because the St. Louis Star makes a statement that a crime is committed that is not notice to any man in St. Louis that it has been committed.

Q. Don't you know that the publications in the Star and elsewhere concerning the appointment of deputy sheriffs and their assignment to duty on election day had direct reference to these persons who were published as having been fraudulently registered in these various issues of the Star?—A. No, sir: because I did not believe for a moment that it would take 1,000 deputies nor 10 deputies to serve warrants against men who were rightly charged with such registration.

Q. Suppose the fact to be that 1,000 warrants were actually issued out of the court of criminal correction for the arrest of persons who had fraudulently registered and that those warrants were placed in the hands of these deputy sheriffs on election day, do you say that with that knowledge in hand you would have issued such, or as you did, to the chief of police?—A. I would take into consideration the surrounding conditions. If the St. Louis Star—

Q. I am asking you one single thing.—A. I want to answer that. If the St. Louis Star or the Republican campaign managers knew a number of days in advance of the election that certain men had registered fraudulently and then they held their warrants back to be served upon election day, in the midst of an election of which the judges and clerks and peace officers and the full judges of the law as to what shall take place in and around polling places, I would then have given the same order; yes, sir.

Q. Do you know of any law that authorizes the police or any other authority to keep all people under all circumstances away from the polls on election day?—A. There is a regulation to keep people—only those endeavoring to vote—away from the polling places: people who are engaged in electioneering.

Q. Yes: and that is the law that requires them to keep away from the immediate vicinity of the polls when they become disorderly or boisterous or in some way interfere with the proper conduct of the election. That is true, isn't it?—A. Yes; but it is further my understanding that it is the duty of the police to keep quiet and order in and around election booths. If any man comes under any pretense and seeks to create confusion and disorder and precipitate a riot, no matter what his intention may be, it is the duty of the police to use their judgment in preserving order in and about the election booth.

Q. Did you seek Sheriff Pohlman to inquire at all concerning these warrants or the appointment of a special deputy?—A. No, sir: there was one or two things that we knew: other newspapers and the St. Louis Star, which purports to be an organ of truth and veracity, had quoted Sheriff Pohlman and Ford Smith, his attorney, and I remember distinctly that there were quotation marks around the statement, and I presumed, very naturally, that, being a Republican paper, such statements as that would not have been put in there unless they were true.

Q. Now, what is the statement you refer to?—A. Well, I remember—now, of course, I would not be expected to go into detail as to the contents of an article which I have not seen for a month, but the purport of it was—the headlines of the article said "Policemen will be shot down if they interfere with deputy sheriffs in the morning." There was a heated article from Ford Smith in his usual style in there about what was going to happen to policemen, and especially myself. It was put in quotation marks. Now, I saw that in there, and also Sheriff Pohlman's statement.

Q. You are still away from the point. It was as to what would happen to a policeman if he obstructed the deputy sheriffs in the service of warrants in their hands for the arrest of a person, wasn't it?—A. No, sir.

Q. That was it, wasn't it?—A. No, sir.

Q. Well, I will leave it to the newspaper. I will produce a clipping.—A. I could not conceive how 1,000 deputies would be sworn in at a partisan Republican club, men who were not regular officers of the law, and given unusual authority upon election day to carry out any honest purpose during that election.

Q. Well, the substance of it is you proceeded entirely upon a newspaper publication without consulting with any of the officers or judges or the sheriff to whom was attributed the purpose of carrying out the plan you speak of.—A. I proceeded upon the information I received from Republican newspapers: yes, sir.

Q. You had no other information at all? No other—made no other effort to get information about the matter?—A. No, sir.

Q. Other than simply that publication in the newspaper?—A. No, sir: that is not strictly correct.

Q. What else did you do then?—A. The matter was generally discussed upon the streets, and there was a belief that this thing was going to be done. I can't recollect at this moment the name of any one of the gentlemen who told me about it, but it was common property on the streets at the time. If it had not been such common property I might have remembered the names of some of the gentlemen who had told me about it. It was generally discussed. There was no denial of it by Mr. Pohlman or Mr. Smith that such was the intention of the sheriff.

Q. Returning to the police bill. After the police bill had become a law its enforcement was resisted, was it not, by the city of St. Louis?—A. No, sir: there were petitions, I think, of over 75,000 citizens—no, 45,000 citizens—asking for the passage of the bill—

Q. You misunderstand me. I say, after its enactment and its enforcement, it was resisted by the city of St. Louis.—A. Oh, yes, sir.

Q. Proceedings of some nature were instituted to stay the operation of the law and prevent its enforcement?—A. Yes, sir.

Q. Counsel were engaged to defend those proceedings, and the whole suit was finally removed, as I remember, by some extraordinary writ to the supreme court. Who engaged the counsel in that matter?—A. I think Dr. Faulkner did that.

Q. Will you state what you know concerning the employment of counsel for that purpose and their payment, and the raising of the money for that purpose.

(Objected to.)

A. I can't conceive what that has to do with the contest between Butler and Horton. The two gentlemen at that time did not contemplate running for Congress: but there is nothing I wish to conceal about this matter, so I will tell you that I consulted with Mr. Judson, Mr. Overall, and Mr. Robert Kern, I think were the counsel. They were selected because of their ability, and the city counsellor, who should have been our natural legal adviser, had taken the opposite side

of the case, and had left the department without proper legal advisers; it then became incumbent upon us to employ counsel. On various occasions the police board have provided out of their own pockets money to employ special counsel in pool-room cases and others, and we would have done so in this case were it not for the fact that we could not afford to pay the fees. Therefore the committee of officers came to the rescue of the board; the board officers and, I believe, every member of the department contributed some sum of money toward the raising of a fee to employ counsel, we having been deprived of it by the city counsellor taking the opposite side of the case.

Q. Will you state, if you please, how much money was raised for that purpose?—

A. I think each one of our attorneys was paid \$5,000 for their services.

Q. Five thousand dollars?—A. Yes, sir.

Q. To each one?—A. Yes, sir; I suppose that was about the sum of money that was raised.

Q. Fifteen or sixteen thousand dollars?—A. Yes, sir.

Q. You are at present president of the Jefferson Club?—A. Yes, sir.

Q. That is the chief Democratic organization of the city of St. Louis?—A. Well, there are a good many people that dispute that claim. I think it is; yes, sir.

Q. It holds the same relation substantially in the Democratic party that the Merchants' League Club, spoken of before, does in the Republican party?—A. Yes, sir.

Q. Who is the secretary of that club?—A. O. P. Mallard.

Q. He has a record or a list of its members, has he not?—A. Well, I don't—I suppose he has; yes, sir.

Q. Can you tell us the membership of the club—the number of members of the club?—A. Well, now, I think we have something over 4,000 members—4,300 to 4,500—maybe 4,700 members. Of course, I couldn't tell you who all the members are, there is such a large number. I guess it is safe to say that there is not a Democrat in St. Louis who is considered a prominent Democrat that is not a member of that organization.

Q. Well, now, be more specific. Are the members of the police board members of the club?—A. I think I can say that every Democratic officeholder in the State, at the State capitol and in St. Louis, is a member of that club; yes, sir.

Q. You say Democratic officeholders: would you include lieutenants, sergeants, and members of the police force?—A. Oh, no, no, no; I mean election commissioners, excise commissioner, coal-oil commissioner, police commissioners, the various officers at the State capitol, members of the legislature, members of the house of delegates, and in fact everybody that calls himself a Democrat and takes an active interest in politics is a member of that organization.

Q. Is the chief of police a member?—A. I believe he is.

Q. Is Captain Reynolds a member?—A. I think so.

Q. Captain O'Malley?—A. I am not sure about it, but I think he is; yes.

Q. Captain Boyd?—A. I don't know whether they are or not.

Q. Will you name over the captains that are members of the club?—A. My impression is that they are all members.

Q. How is it with respect to the lieutenants of the police?—A. I expect—I am not sure—but I expect that the great majority of the members of the force are members of the Jefferson Club. Just which ones are and which ones are not I can't say, because I don't know at this time.

Q. Generally speaking, within what period of time have they become members—that is, stated en masse, when did they become members of the club, how long ago?—A. I think it is perhaps two or three years; some may have been members ever since it was formed. The Jefferson Club has been in existence for eight years. It developed much more rapidly the last two or three years, because other organizations had fallen to pieces and the strength all went into this one. I can't tell about that: some of them may have been members for six, seven, or eight years; the majority of them have been members for the last two or three years.

Q. Well, the Jefferson Club is a great engine in the management of the Democratic politics of this city, is it not?—A. Yes, sir.

Q. And also with regard to the affairs of Democratic politics throughout the State?—A. I think it has some slight influence; yes, sir.

Q. It was a particularly active agent in respect to the management of the campaign for the Democratic party in this city during last summer?—A. Well, I wouldn't state that that was exactly so. The Jefferson Club confines its work in campaigns to about three or four different kinds of work. The first is the distribution of literature, the second is the furnishing of speakers at campaign meetings, and another way would be to secure registration and naturalization of voters and

to get the vote out at the polls. Our men are not looked upon as strictly practical workers in the sense of ward work. We have no candidates at the primaries and take no part in primary elections at all.

Q. Now, taking up one of these lines of work, naturalization of people, will you state what arrangements were made to secure that object among the Democrats of this city prior to last election?—A. Mr. Fisse. I will tell you frankly, sir, that I think you are taking a very contemptible advantage, if you will let me be so plain, of this situation. What the Jefferson Club does in the management of the city campaign extending into the Tenth, Eleventh, and Twelfth Congressional districts in the city has not a particle—

Q. I will limit my question to what was done with reference to naturalization of voters within the Twelfth Congressional district.

Mr. MOORE. We object to this as too general, irrelevant, and being rot.

A. Your question, I can answer it, of course, but I want the record to show that I protest against it as being unfair. We employ, through our ward committeeman, a man in each ward to make a canvass of this city: to report the number of Democratic and Republican voters in the city, so that literature might be sent to the Democrats, urging them to vote, for various reasons, and urging them to come to the polls: not to forget the day of election, and not to forget to register.

Q. My question was directed to the work of the naturalization of voters.—A. Naturalization! Well, I couldn't tell you how that work is done, exactly. If a man—one of our men—runs across a fellow that had not been naturalized, I suppose he would have taken him down and paid the fee for having him naturalized in the usual course.

Q. Do you know where he took him?—A. No, sir.

Q. Wasn't it to the court of appeals of this city?

(Objected to as immaterial.)

A. I understand that the Republican courts were naturalizing Republicans without any charge, and that the Democrats had to pay the full fee at Judge Clark's and in Republican courts, so, naturally, our men didn't go there, on account of the discrimination between the public being made by the Republican judges of the city.

Q. Now, I will ask you how the people were procured to go to the court of appeals for the purpose of being naturalized?—A. That is a question I can not answer; that is a question that I haven't gone into.

Q. In general with such arrangements, who had charge of that arrangement?—A. Really, I don't know.

Q. Can you tell us who can furnish that information?—A. I don't believe I can. Everybody took part in the work. It just happened that I didn't run across anybody to naturalize myself, but the ward or precinct committeeman or the various members of the club did.

Q. Did Mr. Tom Barrett have anything to do with it?—A. I suppose—

Q. The marshal of the court of appeals?—A. I don't know; Mr. Barrett is not an active member of the Jefferson Club. I think he is opposing the Jefferson Club very actively now.

Q. He was, however, chairman of one of the political committees—Congressional committeeman of the Twelfth district—was he not?—A. No, sir; I don't think that he is.

Q. Did Mr. Guion interest himself in the matter of naturalization?—A. I don't know; I never had anything to do with Mr. Guion's work during the campaign at all.

Q. Did Robert Carroll interest himself in it—commonly known as "Bobby" Carroll?—A. I don't know whether he did or not, sir.

Q. With respect to the matter of registration, what particular work was done through the Jefferson Club to secure the registration of voters?—A. The work extended to that portion—canvassing the city to find out who were Democrats and who were Republicans, and urging the Democrats to register.

Q. Was it part of the work of the Jefferson Club that 126 men were procured to be registered on Chestnut street, between Twenty-second and Twenty-fourth, those two streets within two squares being completely bawdy-house streets, from one end to the other?

(Objected to as presupposing conditions which never did exist.)

A. No, sir; that is not so, and any man that says so or insinuates that is a liar and a blackguard.

Q. I simply asked you if the registration between those two streets, on Chestnut street to that number, was part of the work of the Jefferson Club. I insinuate nothing; I simply wish an answer.—A. Well, I answered it.

Q. Now, if you wish to know whether or not that number of men were registered on Chestnut street, between Twenty-second and Twenty-third streets, I will produce

to you, Mr. Hawes—A. I am not in the slightest way interested in it at all. I have no knowledge of it, and don't care about it at all.

Q. Do you know from your general knowledge of the work of the Jefferson Club how it happened that 64 men were registered from 201 and 203 South Main street, not more than one of whom has ever been found to be there—

(Objected to as presupposing a condition of things that never existed.)

A. I want to say that the Jefferson Club, as an organization, never to my knowledge, directly or indirectly, through agencies or otherwise, ever registered or caused to be registered a fraudulent vote in the city of St. Louis.

Q. I don't insinuate that.—A. And I know nothing about the house that you speak of, and I am constrained to believe, Mr. Fisse, that you are simply fixing up a record here for the purpose of creating a false impression upon the minds of the Congressmen who will read it.

Q. Well, I will leave that to them. Do you know the Utah House, on the corner of Seventh and Walnut, directly opposite the Standard Theater, conducted, until it was burned up a few days ago, by the contestee in this case?—A. No, sir; I don't know it.

Q. Never heard of the Utah House?—A. No, sir.

Q. How long have you been connected with the police department of the city of St. Louis?—A. About two years.

Q. And you don't know the Utah House nor its character or reputation?—A. No, sir; I may have heard of the Utah House, but it never made any impression on my mind. There may be twenty hotels in the city of St. Louis that I know nothing about. I don't think I ever heard of the Utah House before you mentioned it; never. I may have, but I don't think so.

Q. I beg to inquire, then, if you can explain it, why it is that 66 men are registered from the Utah House directly opposite Mr. Butler's theater?—A. I beg to inform you Mr. Fisse—

Q. And ask if you or the Jefferson Club had anything to do with it?—A. No, sir.

Q. Well, do you know the Rillings Hotel, directly opposite the Utah House, which I have just spoken of?—A. No, sir.

Q. Do you know whether the Jefferson Club had anything to do with the procurement of registration of men from the Rillings Hotel?—A. No, sir. And I say again that any man that makes any such statement or insinuation is a liar and a blackguard. There is no evidence here. Why don't you continue and ask me whether they have robbed men, committed murder, arson, rape, or something of that kind? The question would be just as pertinent.

Q. Well, I don't think that would be pertinent to this inquiry. How about the Erie House? Did the Jefferson Club have anything to do with the registration from that place—the Erie House being, I believe, 220 South Fourth street?—A. Never heard of the place.

Q. Or at the place 413 South Fourth street?—A. Never heard of that.

Q. Or 417 South Fourth?—A. Never heard of the place.

Q. I state that as a fact, borne out by the printed registration sheets in evidence here, that there was about 200 at these places that were procured to be registered; was that done by the energy of the Jefferson Club?—A. As I said before, any insinuation to that effect comes from a liar and a blackguard.

Q. Where did the energy of the Jefferson Club exert itself to procure registration?—A. It has never exerted itself; you are trying to create a false impression, Mr. Fisse.

Q. I have not insinuated.—A. You have insinuated that the Jefferson Club was engaged in that kind of work.

Q. I am simply calling your attention to some of the registrations. Now, I will ask, if you say that you had nothing to do with that, please tell me the quarters and places where the energies of the Jefferson Club were put forth to procure the registration of voters, and what was accomplished in those places, in a general way?—

A. All I can say in a general way is that they have a ward committeeman and a precinct committeeman in each ward and precinct in the city; canvasses are made to find out who the Democrats and who the Republicans are, and to get them to register. How it was done, and in what places, I can't say; I don't know anything about it. The city has 62 square miles and 573,000 inhabitants, and it is beyond the capacity of any one man to know what all the precinct men in the Jefferson Club do on election day or otherwise.

Q. But if you say—if I understand correctly—that the city was divided into districts, by precincts or otherwise, and there was a regular organization which assigned to some particular person the duty of procuring registration within those particular districts—A. Yes; but I tried to explain, it seemed to me, sir, that the practical

work in the wards is done by the ward committeeman. I mean the city central committeeman, if you please.

Q. I understood you to say that the Jefferson Club had ward committeemen in each precinct—A. No; that's not right; let's get this straight.

Q. That is what I want; that is what surprised me; perhaps I misunderstood.—A. The Jefferson Club is an organization extending all through the city; there also is an organization known as the Democratic City Central Committee; there also is a Meriweather organization extending through the city; and I suppose there are four or five different clubs—Rock Springs Democratic Club and other Democratic clubs. While our organization has a general duty to perform all over the city, it is strong in some wards and weak in others, and does not control the situation in St. Louis to the extent that your questions seem to indicate, or that you think it does.

Q. Please state in what places the energy of the Jefferson Club procured registrations, if you say it was not done in these houses; you have disowned these others, I understand you.

(Objected to as already answered.)

A. That question I have answered about four times.

Q. What are the particular wards where the Jefferson Club is strong?—A. The Jefferson Club is strong in the Twenty-sixth and Twenty-seventh—you mean in the Twelfth Congressional district?

Q. Certainly; I don't care to go out of that.—A. I think in the Twenty-second and the—let's see, now. I think they run—now, that is a difficult thing for me to answer, for this reason: The last vote in St. Louis, I will have to explain to you, was a combination of all phases of the Democracy. I can't tell you where our particular strength lies, but I should think in the western wards, as against the downtown wards, as a general proposition. I don't know how I could give you an answer any more definite than that.

Q. What particular downtown wards? At this last election? What brought them into this combination of all phases?—A. The purpose of driving the corrupt Republicans out of office in the city and putting in an honest, businesslike administration, seeing that the people got the benefit of their taxes, and that various corrupt practices of the local Republican party here was stopped.

Q. Yes; all of which you expected to accomplish at a time when there was no local officers to be elected—simply State officers and members of Congress.—A. Well, I don't know about that. It seems to me that a circuit attorney who, under Republican rule, has returned some ten or fifteen indictments against Republican officials that have never stuck is a very important officer—local officer—and it is very necessary to expose this corruption and stop it. There was a general uprising all over the city and a desire to see that kind of men out of politics.

Q. And that uprising showed itself in the Erie House, the Entaw House, Rilling's Hotel, etc., didn't it?—A. I expect it did; and Mike Churchill's and Johnny Owens's and other places of that kind. I have no doubt it is.

Q. And various other "hobo" lodging houses along the levee and in the neighborhood of the Union Market and other disreputable quarters of the city?—A. I have no doubt —

Q. Chestnut street, for instance, between Twenty-second and Twenty-fourth; a part of the general uprising against corrupt—

(Objected to.)

A. Against Mike Churchill and Mr. Fisse and gentlemen who counsel with them, and all that sort of thing. I think it produced a feeling all up and down the line; yes, sir. I expect the poor man who lived in a poor portion of the town cast his vote against corruption in the Republican party just the same as the rich man in the Twenty-eighth Ward did. I think it was a general protest. I don't know which it was. If he was fleeced at the Four Courts and wanted to protest against it, I guess he cast his vote the way he wanted it to go, no matter where he lived.

Q. Who was in charge of the police department on the day of election?—A. John W. Campbell, chief of police.

Q. Was he in his office that day?—A. Was I?

Q. Was he at his office on election day?—A. I don't know, sir; I was not there.

Q. Don't you know that he was not there?—A. No, sir.

Q. Were you there at all?—A. No, sir.

Q. On election day?—A. No, sir.

Q. How were you engaged on election day?—A. Well, I could give you a detailed account of what I did on election day, I think.

Q. I wish you would proceed to do it.—A. I left my house about 11 o'clock—I was unwell in the morning, I had a slight attack of the grip—and I rode downtown to the Planters' Hotel; first voted, went to the Planters' Hotel and the Laclede Hotel

and talked to some of my friends there; and in the afternoon I got into a buggy and rode up and down through the Eleventh Congressional district, talking to different men along there about the election and the probable result of the vote that was going to be cast. I live in the Eleventh Congressional district; I don't believe I was in the Twelfth Congressional district that day, except for the purpose of passing through it to go to the Laclede Hotel or the Planters' House, something of that kind. I was interested in the Eleventh Congressional district, as that is my district.

Q. You didn't spend much time within the Twelfth district?—A. No, sir.

Q. And you didn't spend any time at all at department headquarters?—A. No, sir; I wasn't there at all on that day.

Q. There was no place where you expected there would be extensive intimidation of voters by rowdy deputy sheriffs, except in the Twelfth district, was there?—A. Yes, we expected it—

Q. Where else?—A. We didn't know where; just prepared for it all over the city.

Q. But you knew it was more likely to occur in the Twelfth district than any other.—A. No, sir; I did not. I thought the deputy sheriffs were sworn in—a thousand of them—for the purpose of affecting the general result in the city.

Q. Do you know by whose authority policemen were sent to precincts in the Twenty-fifth Ward in such manner that they arrived there just in advance of the repeaters?—A. No, sir; I do not, but I do not believe that anybody ever issued any such order.

Q. How did it happen that those men got there just before the repeaters arrived, and departed just as soon as the repeaters went away?—A. I tell you I know nothing about the circumstance. You ask me for my judgment; it is just as much of a mystery to me as with a great many other questions that you ask. You are supposing things that I don't believe occurred.

Q. You read in the newspapers about the assault on Mr. Lockpieler in the Twenty-fifth Ward?—A. No, sir.

Q. You have heard something about band wagons and furniture cars, and about Jack Williams's friends going around the streets of St. Louis on election day?—A. In the St. Louis Star.

Q. Anywhere else?—A. That is about all.

Q. How comes it that the Democratic newspapers seem to be rather sleepy? The Republic, for instance, has not yet discovered that this contest is in progress.—A. Let me say to you right there that I think the Republic understands your purpose, which is to create a false impression absolutely and entirely, and they are not going to encourage any such misrepresentation to the public.

Q. Now, Dr. W. W. Boyd is a truthful man, is he not; a clergyman and pastor of the Second Baptist Church?—A. Yes, sir.

Q. Anything he said you would believe?—A. Yes, sir.

Q. Well, William G. Boyd, of the firm of Francis & Bro., is a truthful man, is he not?—A. Yes, sir.

Q. Charles Nagel is a truthful man, is he not?—A. Yes, sir.

Q. E. A. Rozier, the United States attorney here, is a truthful man, is he not?—A. I don't know him.

Q. Do you know George D. Reynolds?—A. No, sir; I don't know—I don't think I know him.

Q. He is a truthful man, isn't he—a man of good reputation?—A. I don't know him.

Q. Do you mean to say you don't know his reputation for truth and veracity? Well, leaving him out, if Dr. Boyd, Mr. Nagel—Mr. Nagel, without regard to anybody else—said that he saw these policemen come and go away in the manner I have stated, and saw them, besides, drop off of street cars in twos and then collect about a place just before these repeaters arrived, do you still dispute that such a thing did not occur, or was impossible?—A. Why, I wouldn't dispute that the policemen got off of cars, if those gentlemen state they did, but I don't know what time of day it was.

Q. Now, who had authority to send any policemen?—A. Let me continue, please.

Q. Go ahead.—A. You stated a long supposition there—a supposition based on the credibility of a number of citizens. It may have been 12 o'clock or 11 o'clock, relieving time, at which a detail of police got off there and others left; and there may have been a fight there. I have known citizens to complain to me that they saw ten or fifteen policeman on a corner; it has occurred a number of times; and in each case when I would ask them what time it was it would be about 11 o'clock. I would have to know who ordered those men there and what they were sent there for, and the circumstances, before I could pass an opinion on that statement of the case.

Q. Now, to come back from this excursion, who on the day of election, between 11 o'clock in the morning and 11 o'clock at night, had any authority to send police-

men into precincts 3 and 4 of the Twenty-fifth Ward?—A. There was only one man, the chief of police, who had entire charge of the police department on that day, the board of police commissioners while in session, or myself. I never issued an order to anyone on election day.

Q. Do you know whether the chief sent any men to that place?—A. No, sir.

Q. Would Captain Joyce, of the Eighth district, have any authority to send men there?—A. Yes, sir.

Q. In squads?—A. Yes, sir.

Q. For any particular purpose?—A. Yes, sir; in case of a riot, or in case of a fight, or case of a threatened disturbance; anything of that kind might cause the sending out of the reserve force.

Q. Have you a detective, a member of the force, named Cordell?—A. Yes; I believe we have.

Q. Where was he assigned for duty on election day?—A. I haven't the remotest idea.

Q. Who can tell? His superior officer?—A. Yes, sir.

Q. Chief Desmond?—A. Yes, sir.

Q. Is there a record kept of the assignments for that day?—A. Well—

Q. And by whom?—A. It is this way: If a man is assigned to look up a certain case, for instance, if there is a robbery reported—

Q. Now please answer the question. Is there a record of the detective's assignments, or how do they work it?—A. A record is kept of the men when they are assigned to a case. Now that assignment may take him all over the city of St. Louis; he may be assigned to the Fifth Ward to look after repeaters, or something of that kind; he may be assigned to the Twelfth Congressional district. Now there is no order of that assignment; our records will show where the man was assigned. That is the reason I started, Mr. Fisse, to give you the explanation I did. He might be assigned to the Twelfth Congressional district on duty.

Q. You say Chief Desmond knows?—A. He ought to know; yes, sir.

Q. By Chief Desmond you mean the head of the secret service of the department?—A. Yes, sir.

Q. You heard of people going about in wagons, didn't you—band wagons, particularly, on the day of the election?—A. No, sir; I did not.

Q. No report of it?—A. No, sir.

Q. Did you hear anything of it the night of election?—A. No, sir; I never heard anything of the kind, particularly. Of course there were people going around in wagons. I suppose our fellows were rounding our men up. Shawwalker and Mike Churchill and other dignitaries in the Republican ranks were doing the same thing as they have in years past.

Q. About those men you have no doubt?—A. I presume there were many of them in wagons.

Q. I mean about those men doing those things you have no doubt?—A. I don't know. I am very much in hopes they did, if they didn't violate any law.

Q. You are also familiar with what these other people did—Schawaker and others?—A. Yes; in a general way I know their reputation.

Q. Knowing that before election, knowing their habits and the character of these men, why didn't you take some measures to prevent their success at repeating?—A. At repeating?

Q. At election, yes; prevent their repeating.—A. You were talking about election day, weren't you?

Q. Yes; I haven't been talking about anything else in a long while.—A. Your idea is that these men went around in bands and repeated at the election?

Q. In band wagons, wagonettes, furniture cars, and other vehicles to the number of three or four in each procession, from the Fourth Ward and Third Ward?—A. I knew nothing about it.

Q. You heard nothing about it up to this day?—A. No, sir.

Q. Bad Jack Williams's gang?—A. Oh, I have seen it in the papers; that is all.

Q. Never heard anything about Detective Cordell in connection with the Jack Williams gang and its operation?—A. No, sir.

Q. Never?—A. No, sir.

Q. By the way, before I leave the subject of registration, did the Jefferson Club exert its energies to the securing of the registration of about 100 men at Butler's stables on Vandeventer avenue and Laclede?—A. I answer that question by saying that you know in advance what my answer will be; that you are simply trying to make this record and create a false impression in the minds of the men who will read it.

Q. Yes. Now, did you have any consultation with Ed Butler during this last

campaign concerning the Congressional campaign and city affairs?—A. Not in regard to the Congressional campaign; no, sir.

Q. About what affairs did you talk with him?—A. About affairs in general.

Q. Now, that is a little too general. Won't you tell us some of the things in general that you talked about?—A. Well, I couldn't tell you anything exactly.

Q. Have you forgotten all that you and he said together?—A. No, sir.

Q. Then tell us some of the matters you discussed.—A. Well, let me know what matters you want.

Q. No; I turn you free; give us the discussions.

(Objected to.)

Q. Tell us about any conversation you had with Mr. Butler; I simply ask that you fix the time and place.

(Objected to.)

Q. About this last election and the general object of securing the election of the Democratic candidates for the various offices?—A. I had a conversation with Mr. Butler one night at the Jefferson Club. He was very much outraged at some of the false stories about false registration and about collusion with the Republicans. He denied that anything of the kind was going on, and told me of Mr. Baumhoff's attitude in the strike, and that the way the Republicans had treated the labor element in St. Louis was bound to cause a reaction which would elect the Democratic ticket. I had a number of talks with him during the campaign. I believe he spoke something about the methods of Republicans down in the lower wards, especially Mr. John Owens, who, I believe, was the Congressional committeeman there. I understand that Mr. Owens—he would talk to me about Owens, and he said Owens had at one time stolen \$30,000 or something of that sort from the Adams Express Company, which was recovered on consideration of his not being prosecuted. I have had a number of conversations with Colonel Butler about the matter.

Q. Now, I will ask you to come to my question and stop your slanders about other people. You may be called to account for them, but that is their business.—A. Yes, sir; I am perfectly willing to be called to account by other people, and by you also.

Q. Will you relate your conversation with Mr. Butler about political subjects, particularly relating to the election of Democratic candidates to the various offices?—A. The conversations I had with Mr. Butler about John Owens, a prominent Republican official—

Q. A candidate for office?—A. He is manager of Mr. Horton's campaign for Congress, and he told me the kind of man he was—that he had stolen this money and ought to have been sent to the penitentiary for it, but upon the money being returned he was released.

Q. Do you remember a meeting with Mr. Butler at the Southern Hotel a few days before the election?—A. Yes, sir.

Q. What was the date of that meeting?—A. I don't remember. It was in the early part of November.

Q. Where was the meeting held—in what room of the hotel?—A. It was the first floor of the hotel.

Q. At what place?—A. In one of the rooms there, I don't know which one.

Q. Whereabouts—where located?—A. First floor of the hotel.

Q. You mean the ground floor?—A. First floor, as they call it.

Q. In the second story of the building?—A. Yes, sir.

Q. Where was the room located?—A. I think the room was on the Market street side, whatever the street, the north side.

Q. Walnut street side?—A. Walnut street side.

Q. What time of the day was that meeting held?—A. I think it was about half past 7 or 8 o'clock in the evening.

Q. Who else was there?—A. As I recollect it, I think Judge McCaffery was there, and Colonel Kingsland was there, General Crow, Mr. Edward Butler, and myself and some others.

Q. Do you remember the others?—A. Not at this time. If you would refresh my memory I might tell you.

Q. Well, what was the purpose of the meeting?—A. The purpose of the meeting—the chief of police was there; yes.

Q. What was the object and purpose of the meeting?—A. It was to discuss a rumor which was current that Sheriff Pohlman, through the instrumentality of his deputies, proposed to interfere in the election.

Q. What else was discussed?—A. That was about all there was discussed there that interested me at all; there may have been discussions on many subjects, all kinds of subjects.

Q. What did Mr. Butler say?—A. He said a great deal.

Q. Tell me some of the things he said.—A. Well, he referred—spoke about the fact that the labor element had been badly treated by the Republicans in the campaign, and also as to the theft of the \$30,000 by Mr. John Owens; spoke about the fact that the postmaster, he thought, or some of the men in the Federal building were using the public mails and public agencies for political purposes; he had heard the story about the deputy sheriffs being sworn in—and matters of that kind. Somebody brought the story—I forget now who it was. Do you want me to confine myself to what Colonel Butler said?

Q. Yes; at present.—A. Oh, there were a number of matters he talked about.

Q. Now did you all get together there for the purpose of hearing Mr. Butler talk about those things?—A. I don't see that you have any reason to suppose so; I never said it.

Q. What was your real purpose in getting together there—your real object in assembling?—A. One object of our assemblage was to discuss the Democratic situation.

Q. Yes.—A. And to provide—

Q. Certain plans to be carried out on election day—

Mr. MOORE. Will you please let this witness answer the question. I object to Mr. Fisse putting words in the mouth of the witness.

Mr. FISSE. I guess the witness can take care of himself.

Q. Isn't it a fact that you went there a day or two before the election to make certain plans for things to be done on election day?—A. No, sir—

Q. And besides yourself—

A. Now, one minute—

Q. Well, let me finish the question. Besides yourself, there were present other members of the board of police commissioners, the chief of police, and the members of board of election commissioners, Mr. Hoblitzelle of that board. Isn't that true?—A. Yes, sir.

Q. And Mr. Butler in addition?—A. Yes, sir.

Q. And you have added the name of General Crown?—A. Yes, sir.

Q. I will ask you again to state the real object and purpose on the part of these officials to come together at the hotel at that time, just before election.—A. Well, the real object was this: the city councillor, as a Republican official, we felt that the issuance of warrants in a large number that we heard they were going to be issued, and swearing in a large number of deputies at the Republican club for partisan purposes was about to bring on a conflict, and we were interested in knowing what the duties of our office were, and the duties of the election commissioner, and what the province of the judges and clerks were, how far a deputy sheriff might be allowed to go, and what would constitute intimidation; we wanted the views of the attorney-general, and proper legal advice, as he was the only proper legal adviser that we could get on the subject.

Q. Why did you need Mr. Ed Butler there for that purpose?—A. Mr. Ed Butler was there because he was an experienced politician, and it was a public matter, and he was interested in it; we might have had half a dozen other men in there.

Q. Why didn't you call a general manager of the Republican party there?—A. For the same reason that in the meeting of the city central committee, attended by the Republican circuit judges, in which the issuance of blank warrants and other matters were discussed as we had heard, the chief magistrates and the chief party leaders of the Democratic party were not present.

Q. In other words, it was the association of all the police officers and election commissioners for a conference with Mr. Ed Butler about what should be done on election day?—A. No, sir.

Q. But it occurred a short while before election?—A. No, sir; I deny that.

Q. Then what was your object in having Mr. Butler there?—A. I stated the object, that we wanted advice.

Q. I say, why did Mr. Butler need to be present in order to procure that advice from the chief law officer of the State; what advice did he need to have?—A. Because Mr. Butler was an experienced politician—

Q. And that is the only reason that he was there?—A. Certainly.

Q. Did he say anything about the police department while he was there? Complained because the police department was not doing its full duty toward the Democratic party?—A. I don't think he did; no, sir.

Q. Nor he didn't say if he was chief of police he would carry every precinct and ward for the Democratic party?—A. He might have said it, but I don't believe that he did.

Q. He might have said it?—A. Well, he might say anything.

Q. He did say it in fact, didn't he?—A. I didn't hear him say it; I don't believe that he did; no, sir.

Q. One of the other subjects of discussion was the subject of challengers at polls, was it not?—A. No, sir.

Q. Now, relate what was said about that?—A. Challengers?

Q. Challengers at polls; I ask you to state precisely what was said about that.—A. As my recollection is, there was no discussion of challengers.

Q. Mr. Hoblitzelle was there and had considerable to say on the subject of challengers, did he not?—A. No, I don't think—now, it is possible that such discussion may have gone on about challengers. We discussed a great many things; the only matter I was interested in was to get a legal opinion as to our duties.

Q. Did you stay there during the meeting?—A. No, sir—

Q. How long did you go away, leaving the others there?—A. I didn't go away before the conference was over, except on one or two occasions to go down stairs and get some cigars or something of that sort. I think twice I went down to get cigars.

Q. How long did the conference last?—A. I don't know about that; I would say probably about an hour and a half, or maybe two hours.

Q. Do you mean to say, now, that nothing was said about challengers?—A. There may have been. You understand the room we were in was large, and a man that would be interested in challengers would be talking about that; I talked about those things and listened to those things that interested me.

Q. Wasn't it there proposed to exclude challengers from the polls?—A. No, sir; I never heard of it; there was nothing in that meeting regarding any such proposition as that.

Q. Do you remember anything at all that was talked about except this matter of deputy sheriffs?—A. Yes, sir.

Q. What else?—A. The duties of the judges and clerks.

Q. Now, why did that need to be discussed at that time?—A. It came up in relation to the deputy-sheriff proposition.

Q. What was the difficulty about the duties?—A. It was a difficulty with the judges of election; they were peace officers on election day, and they had the right to govern all matters of disturbance of the peace during an election.

Q. Yes; but what about the deputy sheriffs?—A. The judges—

Q. But what was it occurred between you and the election commissioners and the police commissioners—what was it agreed that you should do, or have the judges and clerks instructed to do, about deputy sheriffs at the polls?—A. Well, there was no instruction given to any judges or clerks, or any agreement of that kind.

Q. What was the understanding that you reached among yourselves as to the proper duty of the judges and clerks with reference to deputy sheriffs?—A. That understanding was this: It was with reference to the deputy-sheriff proposition and what rights the deputy sheriffs had and where it became a question of intimidation and otherwise. It was decided there that a deputy sheriff could go any place to make an arrest, provided the judges and clerks so ordered. Another matter came up—if a man could come into a polling booth, for instance, and arrest a man, if he was not ordered out by the judges and clerks. Another matter was that the judges and clerks could order a police officer to eject a man and to arrest a man.

Q. Especially a deputy sheriff?—A. Not especially—

Q. Especially a deputy sheriff; wasn't that the conclusion you reached there at that time?—A. No, sir.

Q. Go ahead now.—A. I won't say positively that that was so—that they could order the arrest of any man; they were police officers for the time being.

Q. Now, while you were discussing the matter of their right to eject people from the polls, didn't the matter of the challengers come up too?—A. In all probability it did.

Q. Didn't Hoblitzelle there point out that the provisions—A. I have already stated that I heard no conversation about challengers there. It may have occurred, but I didn't hear it. It was not impressed on me sufficiently to cause me to recollect it.

Q. Wasn't the further conclusion reached that the judges and clerks inside should prevent the deputy sheriffs from coming within the polls—excluding them from the polls?—A. No, sir.

Q. Now, you proceeded to communicate to the judges and clerks the conclusion that you reached at this meeting about their duties?—A. I haven't the most remote idea.

Q. Do you say that you got together to have a conference and talk among yourselves about an important public matter in which you thought it necessary to invite the attorney-general of the State capitol, and yet did not take means to communicate the conclusion reached to the very people whom you wanted to have instructed?—A. Yes, sir.

Q. What do you say about that, then?—A. I say yes. You were working on one theory and we were working on another, and in case complications arose, or in case a disturbance arose in which the judges and clerks would have to pass an opinion, or the election commissioners would want to know how to rule in case of a dispute of that kind, I wanted to know how to act, and I wanted some legal advice as to my duties and the duties of the chief of police in the premises.

Q. Yes; but do you mean to say that at this conference, in which the attorney-general of the State was invited, about deputy sheriffs—do you mean to say that that was brought up by newspaper publications that you never investigated at all, without your having any conference with the circuit judges and the sheriff, who were said to be the authorities appointing these deputy sheriffs, commissioning them—you did all that upon the strength of a mere newspaper publication, without any further investigation?—A. No, sir; no, sir.

Q. Well—A. We did it for this reason: It was public talk upon the streets, and there were interviews in the papers in the form of quotations from Mr. Pohlman and Mr. Ford Smith, his attorney, as I recollect it, and the matter had become subject of general conversation, and, as ultimate events proved, an unusual force was sworn in on that day by Sheriff Pohlman—not so large as the Star had pictured it, but still an increased number of men. The articles that were referred to in the paper, of men becoming fraudulently registered, were known a week or ten days prior to the election. I could not conceive, nor none of us could conceive, why those warrants were not issued immediately, if they were issued for any honest purpose, and we did not propose—

Q. Did you know—A. Please let me finish.

Q. Do you know that they were not immediately issued?—A. Not immediately served. I mean served. If they were issued for any honest purpose, we could not conceive why they were not served immediately instead of being held up for election day, and that was a matter which gave us considerable uneasiness.

Q. Did it ever occur to you that it was possible those names that were thought to be fraudulent were the names of fictitious persons?—A. No, sir.

Q. Persons who could not be found by ordinary service?—A. No, sir.

Q. That never occurred to you?—A. No, sir.

Q. You didn't see it published in the Star and other newspapers that fictitious names had been put upon the list?—A. Yes, sir. I have seen so many—

Q. It never occurred to you that some of those false registrations might be fictitious and that the object of waiting with the returns until election day might be to arrest the men who undertook to vote on that name, and who thereby identified himself as the person bearing that name? That never occurred to your mind, nor the mind of the attorney-general of the State, the chief of police, or any other of these high officials, did it? Not even to Ed Butler?—A. Of course, those remarks are simply for the purpose of making a statement in the record; that is all they are for.

Q. Of the same character as the character of your answers?—A. Just simply to put something into the record.

Q. I ask you to answer that question, if you know.

(Objected to as calling for the understanding of others than the witness.)

(Question read.)

A. No, sir. I saw lots of the accounts about this false registration in the St. Louis Star, which, according to your own insinuation here, you say is not a reliable newspaper, and that it prints statements as facts which are not facts. My own personal observation has been that it has had columns of matter in there without any truth or foundation in them. I thought that the whole story about false registration was concocted for the purpose of deceiving the public and influencing votes against our candidate on election day.

Q. Yes. Now tell me by what process do you discriminate between those things that are untrue for the evil purpose that you state, as published in the Star, and these other things published in quotations which become the subject of action on your part and the part of your associate police commissioners and the election commissioners?—A. Yes; I will gladly tell you that. The matters I referred to the names of public officials were given and the words purported to have been used by them were placed in quotation marks, containing statements of the line of conduct which, if proposed by them, could not but intimidate voters on election day. The reason I believed that and did not believe the other arose from the fact that the names in these cases were given of prominent officials, and in the others, as I recollect it, they were not.

Q. Yes. What you choose to believe about publications in the Star you do believe, and what you do not choose to believe you disbelieve. Is that the fact?—A. Well, that is the same thing. If you would make a statement to me I would answer it the

same way; I would believe what you told me in some cases and in other cases I might not.

Q. And so with the Star?—A. And so with the newspaper.

Q. You decide for yourself what to believe?—A. Yes, sir; absolutely.

Q. When you choose to believe a certain thing then you proceed to believe it, and you call together all the high officials of the city, with Mr. Ed Butler, and concoct schemes for saving the Democratic party against the evils that are being outlined in the St. Louis Evening Star. Is that the fact?—A. No, sir; that is not the fact.

Q. Then let me change the question—A. Now, why don't you ask me that question half a dozen times?

Q. Let me change the question and say if, in addition to this portion of these publications in the Star which you had reason to believe, you had anything more than common street talk which led you to believe that the judges of the circuit court of this city, even if they are Republicans, would conspire with the sheriff, even if he is a Republican, to send out a lawless body of 1,000 hoodlums in the city to intimidate voters, upon what other foundation do you charge those judges and that sheriff with any such purpose or intention except the interviews in the Star which you did not see and the street talk which you did not hear?—A. Well, that is the most absurd question I ever heard.

COUNSEL. It just exactly fits your explanation.

Not being able to complete the taking of said depositions this day by reason of want of time, I hereby adjourn the taking of same until to-morrow, January 10, at 10 o'clock a. m.

[SEAL.]

FLAVIUS J. NORTH, *Notary Public*.

My commission expires January 18, 1902.

Pursuant to adjournment, as above stated, on the 10th day of January, 1901, at 10 o'clock a. m., at the office of W. E. Fisse, esq., No. 140 Lae-lede Building, southwest corner of Fourth and Olive streets, in the city of St. Louis, State of Missouri, I continued the taking of these depositions, as follows:

W. E. Fisse, esq., appearing for the contestant, and Thomas J. Rowe and H. M. Moore, esqs., appearing for the contestee.

HARRY B. HAWES, in continuation of his deposition commenced yesterday, testified, in answer to questions propounded by Mr. Fisse, as follows:

Q. Are you ready to go on?—A. Yes, sir.

Q. Did you bring with you this morning the matter from the Star of which you spoke yesterday?—A. No, sir.

Q. Which you promised to bring?—A. No, sir; I don't know that I promised to bring it.

Q. When can you bring it here?—A. Well, I don't know, Mr. Fisse, that I am expected to produce any copy of newspapers.

Q. Well, I understood you to say yesterday that you had the matter from the Star of which you spoke and that you promised to bring it here. Are you willing to bring those extracts from the Star that you spoke of yesterday, and have them attached to your deposition?—A. It would put me to a great deal of trouble, and I would rather not go to that unnecessary trouble unless I am compelled to do so.

Q. I don't wish to compel you to bring them against your will. You promised yesterday to do it, and that was the reason why I took it up.—A. No; I didn't understand that was so. I understood your question was whether I could do it or not, and I told you that I could. That is my recollection of it.

Q. Well, at present at least you are not willing to bring them?—A. I am not willing to put myself to the trouble of bringing or hunting up copies of newspapers that can easily be procured at any time by anybody else.

Q. Nobody can select the particular things that you had in your mind when you spoke of certain publications. That was the reason for asking you whether you would produce those particular things. Let the matter drop there. You said yesterday that in this last election there was a complete combination of all the different elements of the Democratic party. I will ask you to explain a little further what you mean by that.—A. It had no reference to the Twelfth Congressional district. It related to the city ticket that we put in the field.

Q. Well, what conflicting or divergent interests within the party were brought together in combination for the purpose of the city ticket, as you call it, by which I presume you mean nominations for circuit judges, coroner, circuit attorney, assistant circuit attorney, and whatever other city officers there were to be voted for?—A. Yes, sir. Well, I mean by that statement that we have had a number of factions in

the Democratic party. We had what is known as the Brady faction and what is known as the anti-Brady faction. They have been at war some time, but by an agreement to have a harmonious delegation and only one delegation from each ward we harmonized affairs. It was the first city convention I know of where there has not been a single contest in the city. It was a case of mutual concessions between those two factions.

Q. Now, you spoke of factions. Who were the conspicuous members of these factions, if you please, and leaders, if they might be so termed?—A. What was called the Brady faction I consider Mr. Thomas Barret, Mr. Charles Lemp, Mr. Thomas Hallahan, Mr. Nicholas Griffen, Mr. George Gonzoles, and I might name those committeemen, Mr. Fisse, and go on at some length if you desire me to do so; but I think you might say those were the leaders of the so-called Brady faction. Of the anti-Brady faction there was myself, there was Mr. Swift—

Q. William H. Swift?—A. Yes, sir; Mr. Butler—

Q. Edward Butler?—A. Edward Butler, Mr. William J. Flynn, Mr. John Sartorius, and a number of others. As you would naturally suppose, it would take me some time to give all the names, but I would say that those were as conspicuous as any others.

Q. Now, where did the Brady faction, as you term it, have its strength—in what particular wards or sections of the city?—A. Well, now, I don't know; it is scattered; their influence was scattered throughout the city in various wards.

Q. Isn't it true that they were particularly strong in the Fourth and Fifth wards of the Twelfth Congressional district, and also in the Sixth Ward?—A. The Brady faction do you mean?

Q. Yes, sir.—A. Well, it is possible that they were. I know they were strong in the Fourth Ward, and were strong in the Sixth Ward, I suppose.

Q. It is true, as a general statement, that their strength was in the so-called lower wards?—A. Yes, sir.

Q. Generally speaking, the wards east of Twelfth street?—A. The river wards, as they call them.

Q. Now, how is it with respect to what you term the anti-Brady faction?—A. The anti-Brady wards—to begin with those that are known as the Jefferson Club faction, usually the west-end wards, extending along the western limits of the city, and the wards between the river wards and the extreme west-end wards—are somewhat divided up. The Bradys control some and our people control some. Generally speaking, the Brady wards lie along the river front and ours along the western portion of the city.

Q. How is it with respect to the Twenty-fifth Ward?—A. The Twenty-fifth Ward is an anti-Brady ward. It is what we call a "silk stocking" ward.

Q. The Twenty-second Ward?—A. That is an anti-Brady ward.

Q. The first precinct of the Twentieth Ward?—A. I wouldn't know what to say about that, for this reason: The present city central committeeman is an anti-Brady man, but the ward was carried by the principal Brady lieutenant, Mr. Barret, at the last primary, leaving in doubt who actually controlled the ward. The delegation that went into the city convention was divided between the Brady and anti-Brady factions of that ward. It was what we call a split delegation.

Q. How about the Twenty-third Ward, which is one of the western wards?—A. Well, the Twenty-third Ward—

Q. Is that a Brady ward or anti-Brady ward?—A. That is in the same condition as the Twentieth Ward. The present city central committeeman is a Brady man, Robert Fox. The delegation that was taken out of there the last time was taken out by an anti-Brady man, however. You understand, Judge Fisse, that the terms Brady and anti-Brady are the best designations that I have at my disposal. Each side might resent such an appellation, but that is the best designation that I can give you.

Q. How is it about the Fifteenth Ward?—A. That is an anti-Brady ward.

Q. The Fourteenth Ward?—A. Anti-Brady ward.

Q. The Fifteenth Ward?—A. Well, that is a Brady ward, I should say.

Q. The Sixth Ward?—A. I wouldn't know what or how to designate that ward. I think that Brady is very strong in that ward.

Q. Mr. Edward E. Guion is the committeeman?—A. Yes, sir; he voted with the Brady faction and was looked upon as a Brady man for some time. I don't know whether he is now or not.

Q. How was the alliance brought about between these different combinations whereby the union was made as to the delegations of the city nominations?—A. The alliance had nothing whatever to do, directly or indirectly, with the contest in the Twelfth Congressional district, or with the Congressional contests in any of the dis-

tricts. It was brought about by various meetings of the factional leaders for the purpose of securing harmony. No definite line was devised that I know of, but a series of meetings at different times. The foundation might have been laid in a cigar store, on a street corner, or by a newspaper interview, or any one of a hundred causes might have brought it about.

Q. Did Mr. Edward Butler have any part in bringing about that alliance?—A. I think that he did; yes, sir. He had something to do with it.

Q. He had a considerable share to do with it, didn't he?—A. Well, not any more so than Mr. Barret, Mr. Andrew Blong, or myself. In fact, I don't think the Colonel had as much to do with it as I did myself.

Q. You and he are both members of the same faction, I believe, as you describe it, and you work in conjunction, with a thorough understanding, don't you? You and Mr. Butler I mean?—A. With regard to the city ticket, yes, sir.

Q. Now, do you mean to say that the matter of the Congressional election was deliberately excluded from the benefits of that alliance?—A. Yes, sir; absolutely. I can't see how it would have any connection at all, Mr. Fisse. It was never discussed at any time. Mr. James Butler was nominated early in the summer, or in the fall, I mean; I was out of the city at the time on a fishing trip; I hadn't the remotest idea that James Butler was a candidate for Congress when I left, and was very much surprised to find that he was a candidate when I got back.

Q. You said, I believe, that as a result of this combination there was no coalition between the different elements of the party to all unite on the election of a single delegation from each ward to the nominating convention for the purpose of nominating State officers?—A. No, sir; well, if you designate the circuit judges and coroner—

Q. By which I mean circuit judges, and circuit attorney, coroner, public administrator, and other officers other than members of Congress and governor and State officers?—A. Yes, sir; for the purpose of having a harmonious city convention is the way I would put it.

Now it has been said that there was a steering committee appointed before the holding of that convention which was given charge of the selection of candidates. Is that true, Mr. Hawes?

(Objected to any further inquiry along this line for the reason that it pertains to the nominating of Democratic nominees for office, and can not and does not in any way, manner, or form, affect the election as between the Democratic nominees, so nominated, and the Republican nominees, especially Mr. Horton.)

A. There was no steering committee appointed of which I was a member, nor any other committee appointed of which I was a member, that had anything to do whatsoever with the Congressional fight in the Twelfth district. I reside in the Eleventh Congressional district myself and had nothing whatever to do with the Twelfth Congressional district fight. The steering committee so appointed had no effect upon that whatever.

Q. There was a steering committee which suggested the candidates to the Democratic convention—city convention, so-called?

Mr. MOORE. Of your own knowledge.

A. No, sir; I wouldn't call it a steering committee.

Q. What do you call the committee or combination in which Mr. Frank N. Judson, Mr. James L. Blair, Mr. James Campbell, Mr. Thomas S. McPheeters, and one or two others were members?—A. The Democrats called them the "solar walkers," I wouldn't know just what to call them, except business men.

Q. What part did those gentlemen have in putting forward the candidates to the Democratic city convention last fall?

(Objected to as wholly irrelevant and immaterial in inquiring into issues of this Congressional contest.)

A. They had the part in it that any prominent citizen who believed in a movement to secure the election of proper officers for the city. I will give you the whole thing. They were asked to make suggestions, and their advice was called in, or was asked for, regarding the standing of certain candidates that were discussed, how the business element that they were in touch with would receive these candidates, and matters of that kind.

Q. Who asked them to do that?—A. Well, now, I would hardly know. I expect I did myself as much as anybody else. I have consulted with them a number of times.

Q. Who else asked them to do the part of advisers to the Democratic convention?—A. I don't think I could answer that question of my own knowledge, positively.

Q. Well, have you an opinion about the matter?

Mr. MOORE. I object to the witness's opinion. We are not after opinions, but facts.

A. I don't know that my opinion is well formed on that subject.

Q. Just for the benefit of Congress state what you think about it, who it was that went to these gentlemen. If the committee does not care to have your opinion, of course they will dispense with it as improper testimony. I would like to have the benefit of it, anyway.

Mr. MOORE. I object to the witness giving his opinion for the benefit of anybody, as illegal, incompetent, and irrelevant.

A. I am perfectly willing to give my opinion at any time for the benefit of Congress, but I am not willing to give my opinion when I know it is asked for the deliberate purpose of deceiving the members of Congress as to the true situation in St. Louis.

Q. Didn't Edward Butler confer with those gentlemen, especially with Mr. James Campbell?—A. Well, I don't know that he conferred with them; you will have to ask that question of Mr. Butler himself. I don't know whether he conferred especially with James Campbell or McPheeters. I suppose he conferred with all of them.

Q. About this particular subject of putting the candidates before the Democratic city convention?

Mr. MOORE. The same objection as before is interposed. It is irrelevant how the Democratic nominees were named.

Q. The result of it was that a Democratic city convention actually nominated the gentlemen who had been selected in these conferences between yourself particularly, Mr. Judson, and the others whom I have named; isn't that true?—A. No, sir; the convention nominated the gentlemen that were agreed upon in a conference between the city central committee, members of the ward organization, a committee of the Jefferson Club, and members representing the so-called Brady faction in the city central committee. That was the conference that decided upon those names.

Q. Was there any man nominated whose name hadn't been approved by this committee composed of Mr. Judson, Blair, Campbell, and one or two others.

(Objected to the same as before.)

A. Mr. F. N. Judson is one of the most eminent lawyers of the city of St. Louis; Mr. Thomas S. McPheeters is president of the Y. M. C. A. of the city here and noted for his philanthropic work of a high public character, and Mr. James L. Blair is the attorney for the World's Fair, a lawyer of distinguished ability and high standing. Mr. James Campbell is one of the leading brokers and wealthy men of the city. They all having an interest in the public affairs, their advice was asked for and sought as to whether certain men were desirable as nominees on the Democratic ticket.

Q. Now, we understand perfectly well, Mr. Hawes, that, in your opinion, every Democrat is a saint and every Republican is a rascal. I call your attention now to the question which I asked, and I request you to give a straight and direct answer.

(Objected to the form of the question as insinuating, base, ungentlemanly, unprofessional, and fit only as emanating from a man without any high standing or moral character of his own.)

Q. I request that the witness answer the question.—A. I will answer the question that I don't think that that is so, but I feel that when Mr. Chris. Schawacker, Mike Churchill, Mr. John Owens, and Mr. Fisse, and other gentlemen, conspire together to deprive a man of his seat in Congress who had been justly elected by the St. Louis people by a majority of nearly 3,500; that men engaged in such a practice can not have the same respect as other men that did not engage in that, whether they are Republicans or Democrats.

Q. I again request that you answer the question which was put to you.—A. Will the stenographer please read the question?

(Objected to the question as irrelevant and immaterial and as grossly insulting.)

Q. (Read as follows:) "Was there any man nominated whose name hadn't been approved by this committee, composed of Judson, Blair, Campbell, and one or two others?"—A. Every man nominated at that convention was approved by a majority of the voters of the city of St. Louis at the election, including Mr. Judson, Mr. Blair, and Mr. Campbell, and other citizens of prominence in the community; but that it required the approval of these gentlemen as an absolute priority to any action by the Democratic convention, why, I deny.

Q. Now, let me read an extract from an interview with Mr. James L. Blair, published between quotation marks in the Globe-Democrat of November 25, 1900: "For more than twenty years I have been striving in a small way for a good municipal government in this city. When, previous to the fall election, the managers of the local Democratic organization came to our committee—"

Mr. MOORE. I object at this point to the introduction of any purported interview with Mr. Blair as a question to this witness, for the reason that the interview is not

authentic, to begin with, and for the second reason that this witness could have no personal knowledge of that interview if it was authentic.

Q. I call your attention, Mr. Hawes, to this extract from an interview with Mr. James L. Blair, published in the Globe-Democrat, of this city, of November 25, 1900: "When, previous to the fall election, the managers of the local Democratic organization came to our committee, headed by Mr. McPheeters, representing the organization of independence, and suggested a cooperation whereby we were to name the candidates and frame the platform, we saw in it an opportunity to possibly put first-rate men in office, and certainly to make a platform which would be a distinct and valuable departure from ancient usages, in this that it would put before the voters purely municipal issues in a campaign for officers where none but municipal issues were properly to be considered. This we did, and we did it with the aid of Messrs. Edward Butler, William H. Swift, and Harry B. Hawes, representing the regular Democratic organization." Is that a correct statement of the way in which the candidates were prepared for that convention and nominated?—A. At the time that interview was prepared in the Globe I had no acquaintance whatever with Mr. Blair. I never sat in a convention with Mr. Blair in my life; I never consulted with him about any candidate on the local city ticket; I didn't know him. In fact, there was a spirit of animosity between Mr. Blair and myself by reason of certain newspaper interviews that had appeared in the past; consequently, I didn't know anything about Mr. Blair's utterances; I never had anything to do with him in the last campaign whatever.

Q. I ask you whether or not his statement concerning the way in which the nominations were made by the Democratic convention last fall and its platform framed are not exactly true?

(Objected to as irrelevant and immaterial.)

A. As he states it?

Q. Substantially as he states it.—A. Well, I would have to qualify. You will have to explain to me what you mean by "substantially." If you put it "exactly," I will say no.

Q. If it is not exactly right, then state wherein he is mistaken, and wherein he is right in the statement.

Mr. MOORE. I ask at this point that the witness be allowed to read the alleged interview contained in the book.

(Witness reads interview.)

A. I will have to answer that by stating the facts. There is no way to give a direct answer to it in the way you propound your question. In the first place, I never had any conversation with Mr. James L. Blair about the city ticket or any other ticket. We consulted with some of the gentlemen named about the city ticket, as we did with many hundreds of our citizens; it was impossible for Messrs. Swift, Butler, and Hawes to have controlled the situation unaided by the so-called Brady leaders. I have considered, however, that the whole city ticket that was put up in the fall was approved by the independent element and supported by the different local Democratic leaders irrespective of factions.

Q. Is that your answer, Mr. Hawes?—A. Yes, sir.

Q. Then, in your opinion, this cartoon, taken from the Star, correctly represents the situation. I have reference to the cartoon published in the Star entitled "A good story (after a celebrated painting)," bearing this legend, "Col. Ed Butler (to his boy Jim): 'And the funniest thing about your election, son, is that Jim Blair thinks he did it with his little reform movement.'"

Mr. MOORE. I object to the witness's opinion of the cartoon published from some unknown newspaper, and as long as it is offered, I ask that the particular cartoon be attached as an exhibit and made a part of this deposition, and will insist upon it.

Mr. FISSE. I shall put it in.

Mr. MOORE. I want it put in right now.

Mr. FISSE. I will have it put in when the deposition is written out.

(The cartoon referred to above is marked "Exhibit —" and hereto attached.)

Q. I ask you to attend to the question that I put, and request you to give an answer, Mr. Hawes.—A. No, sir; I think that this cartoon is simply a political lie in the form of a picture published to deceive the general public by a partisan Republican paper. That is my opinion of it.

Q. Nevertheless, the sentiment and opinion that are conveyed by that picture is the same as what you just now expressed—that Mr. Blair, by his little reform movement, didn't control the nominations which resulted in the election here last fall?

(Objected to as irrelevant.)

A. There is no connection whatever between the cartoon of Mr. Butler and his son James, who was a Congressional candidate, and the conference which related

solely, entirely, distinctly, and specifically to a city convention, having nothing whatever to do with Federal office. I can not by any stretch of imagination see any connection between the two.

Q. I thought that here was a chance where there might be an agreement between you and the Republicans on some point, but if we don't succeed there I will drop it. Besides making suggestions in this way concerning the nominations to be made by the Democratic city convention, Mr. Blair, Mr. Judson, and Mr. Campbell, and their associates on this committee, were useful in another way to the Democratic party here, were they not, about raising money to pay campaign expenses?—A. I don't know the exact amount of money contributed by those gentlemen. I think James Blair contributed \$25, possibly; Mr. McPheeters contributed \$25, Mr. Judson may have contributed \$50, and Mr. Campbell about \$250; and so far as my information goes there was not spent in the whole city campaign \$5,000. I suppose that all those gentlemen contributed, as hundreds of other citizens did interested in the welfare of the city. I don't think that those gentlemen contributed any more than others did in that way.

Q. How much did Mr. Edward Butler contribute, if you know?—A. I don't know, sir.

Q. Can you tell approximately?—A. No, sir; I have not the slightest idea. I don't think that Colonel Butler contributed any money for the election of the city ticket. As to the Congressional fight, I have not the most remote idea of what he contributed, but no money that I know of or have any knowledge of was contributed for the fight in the Twelfth Congressional district.

Q. Returning to the convention which you spoke of, there were three places to be filled in the circuit court, were there not?—A. Yes, sir.

Q. You were present at the convention, were you not?—A. Yes, sir.

Q. How many candidates were nominated for each one of those places?—A. There was but one candidate nominated for each office in the whole convention because of the agreement made between the faction leaders and the local organization that I have referred to above. There was no contest in the primary and no contest in the convention.

Q. Was Mr. James C. Jones present at the convention?

Mr. MOORE. I object to the question on the ground that this is merely and clearly a drag net to gain information for the very eminent counsel, who is pecuniarily and personally interested in other election contests pertaining to the office of circuit judges, and that the question is foreign to the issues of this contest and irrelevant and immaterial.

A. Mr. James C. Jones was not a delegate to the last city convention, as I recollect it. He tried to create a disturbance and was ordered to desist. He made some noise in the convention, but he was not an authorized delegate, and any statement that he had to make in the convention was in the nature of a disturbance of the peace, which he had no right to make.

Q. Mr. James C. Jones is a reputable lawyer of this city, isn't he?—A. Yes, sir.

Q. A lawyer and a Democrat?—A. Yes, sir.

Q. Recognized as a Democrat?—A. Yes, sir.

Q. Was active in the matter of nominations to Congress from your own district, wasn't he?—A. I don't think that he was; no, sir.

Q. Didn't he take part in the matter of the proceedings in the supreme court concerning the nomination of Mr. O'Mally and his opponent, whoever that was?

(Objected to as being relevant to the issues in the Eleventh Congressional district, but not in the Twelfth Congressional district, wherein this contest is pending.)

Q. What did Mr. James C. Jones do or say at the convention that you construed to be a disturbance of the peace?—A. I would like to answer your first question. Mr. James C. Jones, so far as I know, took no part in the primary in the Eleventh Congressional district—took no part in the fight at all; and his connection with the fight in the Eleventh Congressional district was that of a paid lawyer and attorney. I was active in the campaign and I never saw or heard of Mr. Jones taking an active part in the canvass at any time.

Q. What did Mr. James C. Jones do or say at the convention that you construed to be a disturbance of the peace?—A. I wasn't present in the convention at the time Mr. Jones attempted to make remarks the second time. All that I know of what he said is from hearsay. I will give you my information on that subject.

Q. I would be glad to have you do that.

Mr. MOORE. I object to the witness's information as hearsay testimony, and as irrelevant, immaterial, and incompetent.

A. Mr. Jones, in violation of the rules of the convention adopted in the preliminary organization, arose and made some remarks about one of the candidate's polit-

ical opinions. No notice was paid to him excepting from some of the delegates in the audience who, I have been informed, told him to sit down, remarking about his being an intruder. Of these facts I am not personally aware, however, but that was the Jones incident, as I understand it.

Q. The fact about this city convention is that the men who should be the delegates to the convention were agreed upon beforehand and put forward as delegates from the separate wards?—A. They had to be, just the same as they always are. Their names were filed fourteen days before the primary. They became public records, and it was absolutely necessary in the due course of affairs that they should be agreed upon.

Q. When these men had assembled in convention a set of names was prepared, one for each office for which the candidate was to be nominated, and they proceeded to nominate those men without any other nominations being brought before the convention at all?—A. The convention was carried on in the usual way, each candidate being nominated in turn, and, no opposition developing, they were all nominated by acclamation.

Q. Now, that is a very unusual thing in a Democratic convention, isn't it? How was it brought about that all these men got there and upon impulse nominated each one of these men by acclamation?

(Objected to as incompetent and irrelevant.)

A. They didn't get there from impulse, as I understand it. The situation locally here is so notoriously corrupt, the administration of public affairs has been of such a nature, that all classes of citizens, Gold Democrats, Silver Democrats, and Independents alike united to strike a blow at the local corrupt Republican machine; and it was the condition of affairs—the unusual condition of our local politics which made such a convention possible. In my judgment the city of St. Louis was never managed by a more corrupt, unscrupulous, and incompetent lot of public officials than it is to-day.

Q. I suppose you include the police commissioners, do you not? Or do you exclude them, Mr. Hawes?—A. I have reference to those officials who could be reached by a city convention, and who were considered local municipal officers. The police commissioners are State officers. The police system here is a metropolitan system.

Q. Do you include as corrupt city officials the judges of our circuit court? They were persons reached by the nominating convention.—A. No, sir; I don't believe that any man that was nominated on the Republican ticket was corrupt, for the position of circuit judge, not one of them. I referred to the general condition in St. Louis.

Q. You made that speech yesterday. I will ask you not to do it again, but remember my question, and answer the question that I put. Now, that is a very unusual thing in a Democratic convention, isn't it? How was it brought about that all these men got there and upon impulse nominated each one of these men by acclamation?

(Objected to as incompetent and irrelevant, and for the further reason that the same question has been propounded and answered before.)

A. My answer is just the same as it was when presented the first time.

Q. Let it stand at that. At the same session of the legislature at which the police bill was enacted, the election law under which the recent election was conducted was also enacted, wasn't it, that being commonly known as the Nesbit law?—A. The question seems to me to be one that I should not be called upon to answer. You are a lawyer and have read the statutes, presumably, of the State, and know whether that is in the statute and whether the legislature passed it.

Q. Who, if you know, framed the Nesbit law?

(Objected to as incompetent, immaterial, and irrelevant who framed it, it being a law which has been approved, as I understand it, by the supreme court of this State and also by the Supreme Court of the United States.)

A. I don't know; I have never read the law myself.

Q. You know nothing about its provisions?—A. In a general way I do. I heard Mr. Judson and Mr. Blair and other eminent lawyers say that they believed it was just as fair as the present law.

Q. As fair as the present law?—A. The former law; that the cry of Nesbit bill was a cry of "wolf" to deceive the public, and, so far as I know of its practical operations it wasn't of the slightest benefit to the Democratic party over the prior law, and I don't see how it can be. As I said before, I have not read the law and only know of its provisions in a general way.

Q. Did you interest yourself to secure the passage of the Nesbit law?—A. Not in the slightest.

Q. Do you know who did—do you know of anybody who did interest themselves?

(Objected to as incompetent and irrelevant.)

A. Only from what I saw in the newspapers and in conversation. I wasn't in Jefferson City at the time of the introduction or passage of the Nesbit law. I know from the newspapers that a man by the name of James Nesbit, who lives in the State, introduced the law. I took no part whatever in its passage; never asked or urged a single man of the State senate or legislature to pass it. I was no more interested in it than any other citizen. So far as I am concerned, as a partisan I would just as soon have had the old law as this one.

Q. Do you know Mr. Michael K. McGrath?—A. Yes, sir.

Q. How long have you known him?—A. Well, I don't know; four or five years, I presume.

Q. What is his present occupation, if you know?—A. I don't know that, sir.

Q. Isn't he a clerk in the election commissioners' office in this city?—A. I don't know whether he is or not. I know that he was for sixteen years, as I have been told, the secretary of state of Missouri, holding that office longer than any other one public official in the State.

Q. Do you know what office in this city he had held before he became secretary of state?—A. No, sir; I do not.

Q. You spoke yesterday of the Jefferson Club's attention to the subject of the registration of voters. Who was it, what committee or persons in the club, if you know, that had that matter specially in charge?—A. The committee known as our ward organization committee.

Q. Are you able to state who are the members of that committee?—A. Mr. Thomas Mulvihill is its chairman; Mr. Benjamin Heet, I think, is a member; Mr. Henry Quellmalz, Mr. Gill, Mr. Eugene O'Fallon, and Mr. Jesse McDonald. There is one other member, but at this time I don't remember, Mr. Fisse.

Q. Well, think about it a moment and put it in.—A. Well, I don't recollect any others.

Q. Except this committee, do you know anybody else in the city that was particularly concerning himself or had in charge the matter of registering voters?—A. Yes, sir.

Q. For the benefit of the Democratic party?—A. I think that every member of the city central committee, every member of the Rock Springs Democratic Club, every member of the Jefferson Club, every member of the Workingmen's Bryan Club, every member of the Bryan and Dockery Workingmen's Club, and every good citizen interested in the passage of the world's fair amendment and for the election of good officers for the city was interested in the registration.

Q. I ask you particularly about the registration of Democratic voters prior to the last election. Do you mean to say that all these club members and citizens were interested in securing the registration of men because they were Democrats?—A. All those, with the exception of the world's fair workers, who were interested generally in the registration of voters.

Q. Well, then, all of that work had its mainspring, didn't it, from the Jefferson Club, and received its impulse and direction from that?—A. No, sir; I think that the Jefferson Club, being a more complete and stronger club, did the major portion of the work.

Q. Then, if there is fraudulent registration of Democrats, it has come about through the agencies that you have spoken of?—A. Well, that includes very nearly every Democrat in St. Louis.

Q. You can not conceive of any work done to secure the registration of Democratic voters that was done otherwise than through the agencies that you have mentioned?—

A. I can answer that question in this way—that no member of the Jefferson Club, so far as I know, ever discussed, in my presence or the presence of our ward organization committee, on the floor of the club, around the clubhouse, or any other place, or advised fraudulent registration. Any member of our club who was guilty of fraudulent registration would have charges preferred against him, and he would be dismissed from that organization. We countenance in that organization nothing but honest, straightforward political methods. The main source of its strength and usefulness is in the distribution of literature and providing speakers for campaign purposes.

Q. Now, who, if you know, furnished the lists of names to the men for the purpose of having them register under those names at different places in the city of St. Louis?

(Objected to for the reason there is absolutely no evidence upon which to base such a hypothetical question.)

A. I consider your question to be insulting and ungentlemanly. It carries with it the insinuation that I know something about matters of that kind. No foundation has been laid for any such surmise, and I don't believe that in propounding a ques-

tion of that kind to me you are following the ethics of your profession or the conduct of a gentleman. I will say to you, however, that I have no knowledge, directly or indirectly, of any such list being furnished at any time to anybody.

Q. Now, if the fact be, Mr. Hawes, that lists of that kind were put into the hands of men and that men did register names according to the lists which they were furnished at various places in the city of St. Louis, if the further fact be true that those men were Democrats who did that, how do you account for it?—A. How do I account for the fairy tales in Aladdin's Lamp or the Mother Goose stories? It is just the same way.

Q. Have you since yesterday undertaken to inform yourself about the character of the Utah Hotel that I called your attention to?—A. No, sir; I have not.

Q. Or the Billings Hotel?—A. No, sir; I presume you are better acquainted with that class of hotels than I ever was.

Q. I unfortunately had to find out a great deal about them in order to find out where your Democratic voters lived.—A. You get most of your information from Mike Churchill, one of your committeemen, who runs the most disreputable resort in the whole Tenderloin district.

Q. You know Jim Cronin, don't you?—A. Yes, sir.

Q. Do you also know Mrs. Curran, who keeps the house 201 and 203 South Main street?—A. No, sir.

Q. Never have heard of her?—A. No, sir; I don't think I ever have.

Q. Never have heard her described as Jim Cronin's mother-in-law?—A. I don't know. Possibly I have; I don't recollect it.

Q. You won't assert that Mr. Curran is a Republican?—A. No; I think, probably, that he is a Democrat.

Q. Now, if you know why, please explain this fact: There are 64 names registered at that house for the purposes of the last election, and none of the men can be found to answer those names after repeated inquiry at the house?—A. No more than I can explain the ungentlemanly conduct that you are constantly guilty of in asking me questions of that kind.

Q. I mean no personal imputation on you.—A. It certainly seems to be that way, judge. When you ask me about places where you say there has been false registration and you imply by your questions that I have a knowledge of such matters, I can not take it any other way than a personal reflection upon myself.

Q. If at that house or at any other house or place I have mentioned, for example, Mike Howard's, putting him in contrast with Mike Churchill, whom you spoke of, if at any of those places there is false registration it is something of which you personally disapprove?—A. Yes, sir.

Q. And would like to have it corrected?—A. Yes, sir.

Q. And you are ready to support any movement to get those names expunged from the list?—A. Yes, sir; any false registration; that is my position exactly.

Q. Well, that is the whole of my undertaking.—A. But I have denied any knowledge of those places.

Q. I do not mean to insinuate, and I wish to state here that I do not charge Mr. Hawes with being a party to any of that false registration or with having had any part in procuring it to be done. I make that clear on the record.—A. Well, I am very glad of that, and that will simplify my answers a great deal.

Q. Recurring to the Southern Hotel meeting, didn't you omit the name of one gentleman who was present at that conference, namely, Mr. James M. or James A. Seibert?—A. I thought that I gave you his name; he was there, in any case.

Q. It occurs to me that you did omit it. A. He is chairman of the State committee.

Q. Can you remember anything further than you did yesterday what was done at that meeting?—A. No, sir; I think I have covered the matter as I recollect it.

Q. What did you have to do or to say there?—A. I confined myself to propounding hypothetical cases to the attorney-general and securing his advice as to the proper conduct of the police. That was a matter that interested me.

Q. Do you remember what Mr. Kingsland said?—A. Well, I don't think the Colonel had very much to say, as far as my recollection goes.

Q. How with respect to Mr. Kobusch?—A. Mr. Kobusch?

Q. Yes, sir. Didn't you mention him as one of those that were present at the conference?—A. No, sir.

Q. Or Mr. Hoblitzel; what did he have to say?—A. Well, there was an interchange of views, I believe, there on matters of the powers of the judges and clerks and about the change under the new law. The most of the knowledge I have of the Nesbit bill came out of that conference as to what would arise under certain emergencies and how he would rule upon a disputed point in case it came up.

Q. You considered that the election commissioners had power to decide all these

disputed points. Was that the judgment of the meeting that they did have?—A. Well, I consider that the judges and clerks are peace officers, to decide questions arising in the polling place, but in case of a dispute among the judges and clerks, and a decision was asked for from the election commissioners, I think their judgment would have control.

Q. And the object of the conference, then, was principally to secure in advance information from the election commissioners as to how they would act in certain emergencies that might arise, or that might require them to act on election day?—A. No, sir; that wasn't it. I went there to secure knowledge of the law as applied to the duties of my office, and this other matter came up as to the duties of the election commissioners if a case or an emergency did arise, what the law was as construed by the attorney-general.

Q. Have you called to your memory anything more that was said concerning the subject of challengers at that conference?—A. No, sir; I can't positively. In all probability there was something said about challengers and other matters, anything, in fact, that appertained to the proper conduct of the election, but that didn't interest me particularly. I was interested in my own department. I will state that in a published interview, which I gave to the press, I told them just what action would be taken in regard to the deputy sheriffs, and that my decision in that matter had been arrived at to secure the advice of the attorney-general.

HARRY B. HAWES.

Subscribed and sworn to before me this 1st day of March, 1901.

[SEAL.]

FLAVIUS J. NORTH,

Notary Public, City of St. Louis, State of Missouri.

My commission expires January 18, 1902.

HARRY B. HAWES, recalled for further examination on the part of the contestant by Mr. Fisse:

Q. Mr. Hawes, on your former examination you referred to a meeting at the Southern Hotel on Sunday, I believe it was, prior to the day of election, which you attended, and which was attended by other officials of the police department and the election commissioners and others. Since then it has been disclosed that there was a second meeting which you attended, the chief of police, and some of the election officials. Please state when that second meeting was held and where it was held.—A. The second meeting was held at the Jefferson Club house the night before the election. I met one of the captains—Captain McNamee—and he told me he had secured some orders from the chief of police that he thought were incorrect, and he stated what those orders were, and I told him that they certainly were incorrect, and asked him if he thought that the other captains had secured the same instructions, and he told me that he thought they had. I immediately sent out to get the assistant chief of police, who was then on duty, and asked him to get the chief of police to meet me at the club for the purpose of correcting those orders, as they were wrong. In addition to the chief of police and the assistant chief of police, I sent for Colonel Kingsland, Mr. McCaffrey, John H. Overall, to give us his legal advice, and Mr. John H. Boogher, for his legal advice. This was the night prior to the election.

Q. Will you mention the hour of the night?—A. It was very late.

Q. About 2 o'clock in the morning, wasn't it?—A. The meeting may have lasted until that time. I had been down town and stopped into the club and happened to meet Captain McNamee on the street, I believe, and he told me about this. I went to the nearest telephone, which was in the Jefferson Club, and sent out messages to others to bring in these gentlemen, most all of whom had gone to bed by that time, and it took us a number of hours to get them all together; and it might have been late at night before they finally assembled.

Q. Now, you testified, I believe—or did the chief of police—that an order was first given to the department concerning the treatment of deputy sheriffs, and that on the morning of the election that order was rescinded and a fresh one issued, the second order being in substance that the police were not to interfere with the deputy sheriffs when they were armed with a lawful warrant and stated that they were in search of the person at the polls? Is that true?—A. That is practically so; not fully, but practically so.

Q. I merely undertake to state the facts.—A. Yes, sir.

Q. But the first order that was issued to the department was that the deputy sheriffs should be kept away at a distance of at least 100 feet from the polls, wasn't it?—A. I would not call that an order, Mr. Fisse. We had taken the advice of the attorney-general about the matter. The chief of police was present at the time. He heard the discussion, and I don't think that I, in so many words, ordered him to do

anything. He was there to secure advice, the same as I was; and he formed his own impression of what was said. It subsequently turned out that he had formed a wrong impression.

Q. In what respect was the impression and first order different from the advice of the attorney and the conclusion reached at the Southern Hotel meeting?—A. In the first place, we had been informed that a large number of warrants were being issued, that course having been determined upon by the Republican city central committee, when, I believe, Judge Selden Spencer was present, and Mr. Clover; I believe Col. Richard Johnson and Judge Withrow met with the Republican city central committee; and they determined upon a course of procedure which would have called for the issuing of warrants to be served upon election day. We took it for granted, of course, that these warrants were not issued for any legal or lawful purpose; that they were simply to be placed in the hands of deputy sheriffs for the express purpose of intimidating voters and keeping them from exercising their right of franchise. As this was an unusual and unheard-of thing, so far as I knew, we called the attorney-general down to advise us regarding it, and it was decided that any deputy sheriff who had a paper to serve, and saw his prisoner, or the man against whom the information was lodged, he was to be permitted to serve the paper; but he wasn't to be permitted to hang around the polling place and intimidate voters. The chief of police, it seems, had gotten the idea that a deputy sheriff was not to be allowed within the 100-foot limit, and had issued an order to that effect. Captain McNamee telling me about this, I at once sent for him and had that changed. I told him that he had made a mistake, and had him change it, which he did, I think, through the mediumship of the assistant chief of police, Pickels.

Q. You say, if I understand you correctly, that Colonel Overall and Mr. Boogher, and perhaps some other persons, were present at this Jefferson Club meeting. What was the occasion for calling them in if the original order was not according to the advice of the attorney-general or the understanding reached at the Southern Hotel meeting?—A. Because it at once occurred to me that the chief having secured one impression and I having secured another that it was best to have outside legal advice to determine differences of opinion that might arise between us.

Q. Wasn't General Crow still in the city at that time?—A. No, sir; that is, if he was in the city I had no knowledge of it. Colonel Overall lived within a short distance of where we met and was the first man that we could reach. Mr. Boogher happened to be present at the club at the time.

Q. What was the reason for sending for Mr. Kingsland and Mr. McCaffrey to come to this club meeting, they being election commissioners and in no way connected with the police department?—A. I sent for them, as much as anything else, to determine what was really said by the attorney-general, so that if any dispute might arise between the chief and myself, that, being witnesses to the conversation, they could refresh my memory and the chief's, of what actually took place, or what advice was given on the former occasion.

Q. Well, was there any difference between you and the chief as to what occurred at the former meeting?—A. Yes, sir; he had a wrong impression about it.

Q. What did he say occurred at the Southern Hotel meeting?—A. Well, the impression it left upon his mind was that the deputies were not to be allowed within the 100-foot limits, which was a wrong impression and was corrected by me that night.

Q. When was it this first order was issued?—A. I don't know, sir.

Q. If you remember?—A. No, sir; I don't remember. I don't know.

Q. You are quite certain that Captain McNamee called your attention to the order and also pointed out that it was an erroneous, mistaken order?—A. He called my attention to the order, and when my attention was called to it I immediately saw that it was a mistake.

Q. Was it a written order?—A. I don't know how the order was issued. The communication that passed between Mr. McNamee and myself was verbal.

Q. Did he show you a written order?—A. No, sir; he didn't.

Q. Did you communicate with the chief of police at all before calling this conference at the Jefferson Club?—A. As I said before, it was about half past 11 or 11 o'clock that I first heard of the matter. I immediately went to the police telephone and called up headquarters, and found Chief of Police Pickels was there. I told Pickels to come out to see me at once and to send a messenger to Chief Campbell to have him sent out immediately, and it was some time before they located Campbell and brought him out.

Q. While you were waiting for Chief Campbell to arrive you sent out also for Colonel Overall, Mr. Boogher, and the two election commissioners?—A. Yes, sir; because it was late at night, and I wasn't quite sure whether we could find Camp-

bell. He wasn't at his residence when we called him up there, and I at one time thought I would myself have to change the order by giving a new one to Chief Pickels in case Campbell wasn't found, and it was so late that I brought in as many people as I could to expedite the issuing of a correct order.

Q. What did Mr. W. R. Faulkner have to do with soliciting contributions from the police department in September or October of last year for the purpose of the Democratic campaign committee?—A. I don't know that he had anything to do with the soliciting of contributions; I don't know that he did solicit any contributions; he may have done so.

Q. Well, how did it happen that the contribution of the police to that fund was entered in his name—in the name of W. R. Faulkner?—A. He was on the committee of the officers having that matter in charge. Just what he did about the matter I am not familiar with. He had something to do with taking charge of the contributions of the officers.

Q. Did you authorize or instruct the chief of police to communicate with the captains and have them put the matter to their men, whether they would contribute or not?—A. No, sir. It has been the custom in the police department, as I am informed, as it has been in the fire department and all other city departments, as well as the internal-revenue department and others in the custom-house, for the employees to contribute money for campaign purposes to the party from which they secured their position, and it has been done in the police department for very many years.

Q. Speaking now of this particular contribution that was received in September or October of last year, didn't you tell the chief to call the captains to a conference at the Four Courts, and didn't he, in fact, bring them there, and didn't they have their session at the Four Courts?—A. I am not sure about that.

Q. Well, several of them have so testified—Captain McNamee, Captain Kiely, and Captain Gaffney, I believe, too.—A. They are all honest men; if they testified so, it must be so.

Q. Wasn't that contribution levied by you through the chief, at the request of Mr. John A. Lee, at the time a candidate on the Democratic ticket for lieutenant-governor?—A. Absolutely and positively, no.

Q. At whose request did you act?—A. I didn't act at the request of anybody; I didn't order the chief to act.

Q. You mean to say that you didn't order him? Didn't you confer with him about the matter before the thing was undertaken?—A. I may have done so.

Q. Now, didn't you, in fact, Mr. Hawes?—A. I think probably that I did.

Q. You also conferred with Mr. Lee and Seibert about the matter, didn't you?—A. No, sir; I never conferred with Mr. Lee about it.

Q. You did confer with Mr. Seibert?—A. Yes, sir.

Q. You knew Mr. Lee had seen Mr. Seibert on the subject, didn't you?—A. No, sir.

Q. Did you never find that out?—A. No, sir.

Q. Now, you say that those contributions for political purposes had been frequently levied in the police department?—A. No, sir; I say I have never known of a contribution being levied in the department. I have been in St. Louis for sixteen or seventeen years, and I don't think that there ever has a year passed that the police have not contributed something for political purposes. I have also been informed, in a general way, that before my connection with the department it was the custom, and that the city employees contributed regularly a certain per cent of their salaries for political purposes.

Q. So far as the police department is concerned, can you tell us now of any instance of such contributions prior to the time when the collection was made for the purpose of securing the passage of the police bill?—A. Yes, sir; I knew that it was the custom when I was made a police commissioner for the officers to pay so much a month to the city central committee, and upon taking charge of the police department I had this custom stopped.

Q. Now, how about the second contribution that was taken up about the 1st of November?—A. What about that?

Q. What did you have to do with that?—A. Why, I had nothing to do with that any more than I did with the former contribution.

Q. Did you have any knowledge of it at all?—A. I did, sir; yes, sir.

Q. In advance of the time when the men were called upon for the contributions?—A. I never knew any time when they were called upon for contributions.

Q. Well, solicited to make contributions?—A. No, sir; nor solicited.

Q. How much do you know about it, Mr. Hawes?—A. Well, I know about these contributions in a general way. I know I have contributed so much myself. I believe every other Democratic officeholder in St. Louis did the same thing, as every Republican officeholder, city and national, did.

Q. Well, how much money was raised by this second contribution?—A. I don't know.

Q. Did you ever know?—A. I don't think I ever did know exactly. I understand, in a general way, it is \$2,500 or \$3,000—something of that sort.

Q. Isn't it a fact that about \$2,500 is now in the hands of somebody connected with the police department that remains unexpended out of the November collection?—A. I don't know anything about that.

Q. Do you know how much of that November collection went to the Jefferson Club?—A. No, sir; I don't know that. I think \$1,000 or \$1,500 or \$2,000—somewhere along there.

Q. Explain how that money contributed by the police happened to be paid over to the Jefferson Club.—A. I can't explain that, exactly. I presume they gave it to the Jefferson Club to be expended for Democratic purposes.

Q. Who gave it to the Jefferson Club?—A. That I don't know, either—the exact medium through which the money was handed over there.

Q. Well, the testimony here shows that the money was collected at the various stations and transmitted to the office of the chief of police, and that it was decided there so much of it should be paid to the Jefferson Club. Now, were not you present at the time?—A. No, sir.

Q. Who was there to decide that matter?—A. I don't know; I wasn't there, and I don't know.

Q. You were president of the Jefferson Club, were you not?—A. Yes, sir.

Q. The money did go to the Jefferson Club?—A. As I said before, I think there was a thousand or fifteen hundred or two thousand went there.

Q. Although you were president of the police board, and at the same time president of the Jefferson Club, you can't state how it was that the police money got transferred to the Jefferson Club?—A. I stated before that I know why it was given—the same general purpose that it was given to the State committee, and Republican money was given to the Merchants' League Club.

Q. Now, what was done with that money by the Jefferson Club?—A. It went into the general treasury, I presume.

Q. And it went out of the general treasury for some purpose, didn't it?—A. It may be in there yet.

Q. To whom would it go?—A. To the treasurer of the club.

Q. Don't you sign the warrants or checks for money paid out?—A. No, sir.

Q. Who does?—A. The treasurer, I believe, or secretary; I am not sure about that; I know the treasurer does, and I believe the secretary does.

Q. The Jefferson Club has a committee, hasn't it, of 28 members, a ward committee?—A. Yes, sir.

Q. Didn't each one of the members of that committee receive \$25 out of this money sent over from the chief's office?—A. I know they never received money directly from any sum of that kind. All moneys received by the club, whether from dues, contributions, or otherwise, are deposited in the general fund, and I couldn't say whether they received any money out of that \$1,500 or not.

Q. Well, they did receive \$25 apiece on election day, didn't they, or prior to that day, for use on election day?—A. I believe they did; it might have been more than that.

Q. So far as you know, this \$1,500 was a part of the general fund of the club of which you speak?—A. It could not have been otherwise.

Q. Do you know of any other money that was in that general fund except what came there from the police contribution at that time?—A. Yes, sir.

Q. What else was there?—A. A general collection of funds from citizens.

Q. Do you know what the balance of money in the treasury of the club was on the 1st of November or on election day, aside from this payment received from the police?—A. I think possibly we had \$2,000 or \$3,000 in the treasury. I don't know just exactly how many members we have, but something in the neighborhood of 4,000 members, and the annual dues are \$6 a year, which would make the annual income, if I am correct in my figures, \$24,000 a year from dues alone.

Q. You don't mean to say that money was on hand—that much money was on hand—exclusive of the police-department contribution?—A. No, sir; no, sir; I don't mean to say that.

Q. There were also precinct men appointed by the Jefferson Club and paid by the Jefferson Club, were there not—one at each voting place in the city?—A. Yes, sir.

Q. This police money providentially got into the Jefferson Club general fund about the time to pay those men, didn't it?—A. I have stated to you, Mr. Fisse, how that money got into the treasury, and I have told you that precinct committeemen, ward committeemen, nor anybody else was paid directly out of that fund. Now, I don't see why you ask me the same question over again.

Q. The money providentially—you don't know how else it got there—providentially it happened to get there into the Jefferson Club treasury in time to be used for the payment of these precinct men and committeemen?—A. No, sir.

Q. How else did it get there, then, if it was not a providential dispensation that put it there?—A. You will have to explain that a little bit to me. I don't understand your question.

Q. The gentleman says he don't understand the ways of Providence, and I won't undertake to explain or go further with it. Now, 336—A. I don't think you can explain it to me, either.

Q. I wouldn't undertake to make you understand it. Three hundred and thirty-six is the number of precincts in the city, isn't it—voting precincts?—A. No, sir.

Q. What is the proper number?—A. Three hundred and thirty-three.

Q. At \$3 apiece, that would make \$999, according to the old rules of arithmetic. That is right, isn't it?—A. Well, you just stated it. It is a self-evident proposition, I presume.

Q. And the \$25 apiece to the 28 committeemen would make \$700, together making \$1,699. Now, that much, at least, went to the Jefferson Club out of this November police contribution, didn't it?—A. I have stated four or five times that it didn't.

Q. I say that much of the police—of the November police—contribution went into the general treasury of the Jefferson Club, didn't it?—A. I don't know, sir. I don't know whether there was fifteen or sixteen hundred dollars paid in there or not.

Q. You don't remember what other moneys were there exclusive of anything that got there through this source?—A. No, sir; I don't remember what sums or amounts at various times; I am not treasurer of the association.

Q. Well, then, I misunderstood you. I thought you said aside from the money received from the police there was three or four thousand dollars of other money in the fund?—A. No, sir; you asked me how much money there was in the treasury after the election; I told you I presumed there was two or three thousand dollars in the treasury—and I believe that is correct—after the election was over and all money had been disbursed for the necessary expenses of the campaign.

Q. At any rate, the fact is that after election day there remained in the charge of somebody connected with the police department an unexpended balance of this November collection?—A. Well, of that I know nothing; I don't know anything about that.

Q. You can't suggest any reason why the money was kept over?—A. No, sir.

Q. That way?—A. No, sir.

Q. Is it at all likely it is going to be used this spring for the good of the Democratic party?

Mr. ROWE. I object to that question as being entirely irrelevant and immaterial, and not tending to establish any matter or fact alleged in the notice of contest.

A. Well, I think that if there are two or three thousand dollars there it could not be put to any better use than disclosing Republican rascality and mismanagement here in the city; I can't conceive any better use it could be put to.

Q. The fact is when you saved it last fall you saved it for the purpose of devoting it to that meritorious enterprise this spring?—A. Well, to prosecute some Republican officials who prostituted their office for political purposes in this last campaign, possibly.

Q. The fact is that there was a contribution received from the policemen last fall, a part of which was deliberately retained for use this spring, for the very meritorious purposes that you have just spoken of.—A. I have stated before that if there was any money retained by the police I have no knowledge of it.

Q. You are still, are you not, president of the Jefferson Club?—A. Yes, sir.

Q. Were you not given a notice to produce the membership books of the club here to-day?—A. I wasn't; I don't think that I was; no, sir. I was given notice, as I recollect it, to produce the books and papers showing the names of the patrolmen.

Q. Have you brought those books that you think were called for?—A. I requested the secretary of the board to bring that list with him, and I presume that he has it here.

Q. Mr. Ward has the books here, has he?—A. I think so. You summoned him at the same time, and I told him to bring what records you wanted with him.

HARRY B. HAWES.

Subscribed and sworn to before me this 1st day of March, 1901.

[SEAL.]

FLAVIUS J. NORTH,
Notary Public, City of St. Louis, State of Missouri.

My commission expires January 18, 1902.

Contestant's Exhibit No. 4 of February 5, 1903—A. R. R.

Pursuant to adjournment I now resume the taking of testimony at 9.25 a. m. January 3, 1903.

Q. Will you produce the poll books used in the Thirteenth precinct, Twenty-fourth Ward, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1, and continuing in consecutive order to and including the last name?—A. We will.

No.	Name.	Address.
1.	John Carney	6527 Manchester avenue.
2.	D. O. McVey	1356 Tamm avenue.
3.	Joe E. Wyatt	6111 Cheltenham avenue.
4.	G. H. W. Rauschkolb	2315 Sulphur avenue.
5.	M. Matherson	1210 Kraft avenue.
	In other book T. J. Masterson	1210 Kraft avenue.
6.	P. J. Dolan	6401 Manchester avenue.
7.	Sam Keller	1431 Billion avenue, rear.
8.	Frank Fenton	6615 Ville avenue.
	Other book Frank C. Fenton	6615 Ville avenue.
9.	C. A. Weiden	6170 Crescent avenue.
	Other book Carl A. Weiden	6170 Crescent avenue.
10.	Chas. Linder	6204 Crescent avenue.
	Other book Chas. Lindner	6204 Crescent avenue.
11.	Aug. Weiden	6148 Crescent avenue.
	In other book Aug. Wieden	6148 Crescent avenue.
12.	J. J. Jorman	1101 Graham avenue.
13.	Pat. McKeitt	6551A Manchester avenue.
14.	J. Houlihan	6319 Clayton avenue.
15.	J. White	6126 Brockschmidt place.
	Other book John White	6426 Brockschmidt place.
16.	Hugh McVey	6440 Cheltenham avenue.
17.	S. M. Hinckley	1356 Tamm avenue.
18.	Jno. J. Brady	6501 Nashville avenue.
19.	Jno. P. Dolan	6401 Manchester avenue.
20.	Jno. Schneider	6421 Lloyd avenue.
21.	J. A. G. Grosch	1431 Billion avenue.
22.	R. C. Rolston	6448 Nashville avenue.
	Other book R. C. Ralston	6448 Nashville avenue.
23.	Sol. Cluwitt	6128 Simpson avenue.
	Other book Sol Cluett	6128 Simpson avenue.
24.	A. F. Cluewitt	6128 Simpson avenue.
	Other book A. F. Cluett	6128 Simpson avenue.
25.	Wm. G. Buechner	6212 Bowman avenue.
26.	Wm. H. Draznell	6432 Lloyd avenue.
27.	G. S. Braznel	6432 Lloyd avenue.
	Other book G. S. Braznell	6432 Lloyd avenue.
28.	L. O'Brien	1547 Tamm avenue.
	Other book L. O'Brien	1547 Tamm avenue.
29.	Jno. D. Tournay	6217 Victoria avenue.
30.	Wm. O. Cady	6432 Brockschmidt place.
	Other book W. O. Cady	6432 Brockschmidt place.
31.	F. G. Knobler	6427 Brockschmidt place.
	Other book Fred G. Kubler	6427 Brockschmidt place.
32.	Jos. O'Hara	6401 Manchester avenue.
	Other book Jos. O'Hare	6401 Manchester avenue.
33.	G. L. Held	1210 Louisville avenue.
	Other book Gustave Held	1210 Louisville avenue.
34.	P. McGuire	1342 Graham avenue.
	Other book Patk. McGuire	1342 Graham avenue.
35.	J. Smith	6438 Lloyd avenue.
	Other book J. M. Smith	6438 Lloyd avenue.
36.	F. H. Smith	6325A Clifton avenue.
	Other book Fred H. Smith	6325A Clifton avenue.
37.	Wm. Bueckner	6212 Bowman avenue.
38.	D. Murphy	6401 Manchester.
	Other book Dennis Murphy	6401 Manchester avenue.
39.	Pat. Kain	6401 Manchester avenue.
	Other book Patk. Kane	6401 Manchester avenue.
40.	Jer I. Fruin	6300 Columbia avenue.
41.	H. Redmond	1326 Graham avenue.
42.	Samuel Urney	6401 Manchester avenue.
43.	B. M. Hazlett	2181 Clifton avenue.
44.	A. L. Smith	6151 Columbia.
45.	Forest Woodruff	6131 Columbia.
46.	Sim. P. Honig	6127 Columbia.
47.	A. P. Gratiot, jr.	6135 Victoria avenue.
48.	H. A. Bridges	2169 Grove avenue.
49.	E. E. Braznell	6432 Lloyd avenue.
50.	Chas. B. Nicholson	6147 Columbia avenue.
51.	F. M. Rugg	5223 Clifton avenue.
52.	P. B. Gratiot	6131 Victoria avenue.
	Other book P. B. Gratiot	6135 Victoria avenue.

No.	Name.	Address.
53.	Wm. S. Hazenstab	6229 Clifton avenue.
54.	A. D. Hermans	6233 Clifton avenue.
55.	F. J. Wimmer	6613 Ville avenue.
	Other book Frank J. Wimmer	6618 Ville avenue.
56.	F. G. Clark	2233 Clifton avenue.
57.	A. Koch	6429 Manchester avenue.
58.	H. Hart	1429 Tamm avenue.
	Other book H. E. Hart	1429 Tamm avenue.
59.	Ed. Gruber	6217 Elizibeth.
60.	N. J. Saxton	1306 Graham avenue.
61.	Geo. T. Hitchcock	6265 Columbia.
62.	E. F. H. Winecker	6221 Simpson.
	Other book E. F. H. Winecker	6221 Simpson avenue.
63.	W. S. Cromer	6121 Simpson avenue.
64.	Jno. S. Higgins	6437 Cheltenham avenue.
65.	Wm. Banks	6644 Ville avenue.
66.	D. H. McDougall	6503 Manchester avenue.
67.	E. B. Eicholtz	2328 Esther avenue.
68.	Chas. Klein	1441 Billion avenue.
69.	W. H. McCormack	6274 Wilson avenue.
	Other book W. H. McCormick	6274 Wilson avenue.
70.	Chas. Tourville	6680 Cheltenham avenue.
71.	Benj. Banks	1314 Kraft avenue.
72.	C. T. Jennemann	6405 Cheltenham avenue.
73.	W. A. Godbey	6137 Columbia avenue.
74.	Geo. D. Barnes	6233 Columbia avenue.
75.	C. M. Fairchild	6239 Columbia avenue.
76.	F. M. Specht	6221 Columbia avenue.
77.	Herman Gralike	1555 Tamm avenue.
78.	R. C. Tunstall	6406 Lloyd avenue.
	Other book R. C. Tunstall	6406 Lloyd avenue.
79.	W. H. Reynolds	6420 Lloyd avenue.
	Other book W. H. Reynolds	6420 Lloyd avenue.
80.	Jos. M. Crotty	1423 Tamm avenue.
81.	E. F. Catlin	6225 Bowman avenue.
82.	Alpha T. Stephens	Southeast corner Clifton and Simpson.
	Other book A. T. Stevens	Southeast corner Clifton and Simpson.
83.	H. C. Schlueter	6245 Simpson avenue.
84.	J. J. Conroy	6704 Clayton avenue.
85.	J. B. Tremayne	6239 Columbia avenue.
86.	Frank Darr	6508 Nashville avenue.
87.	S. H. Kleinschmidt	6645 Mitchel avenue.
	Other book Sherman Kleinschmidt	6645 Mitchel avenue.
88.	Geo. McCrea	6330A Clifton avenue.
89.	Frad A. Schlueter	6221 Simpson avenue.
90.	M. Shields	6420 Cheltenham avenue.
	Other book M. Shields	6420 Cheltenham avenue.
91.	Aug. Lietmann	6408 Brockschmidt place.
	Other book Aug. Lietmann	6408 Brockschmidt.
92.	E. E. Squiers	6438 Nashville avenue.
	Other book Edw. E. Squire, sr	6438 Nashville avenue.
93.	Wm. E. Revelle	6408 Brockschmidt place.
94.	Jno. J. Conroy	6704 Clayton avenue.
95.	J. M. Fournier	6430 Wade avenue.
	Other book Joe Fournier	6430 Wade avenue.
96.	O. B. Strunk	6320 Clifton avenue.
97.	Jas. W. Burke	6107 Lloyd avenue.
98.	E. Harden	6319 Clifton avenue.
99.	Geo. Schindle	6105 Manchester avenue.
100.	G. H. Milz	6414 Wise avenue.
	Other book Miltz Gerharils	6414 Wise avenue.
101.	Jerome S. Higgins	6437 Cheltenham avenue.
102.	R. T. Higgins	6437 Cheltenham avenue.
103.	Ed. Rickert	1509 Billion avenue.
104.	D. C. Tevis	2187 Clifton avenue.
105.	Jas. A. Rhoads	6002 Eitman avenue.
106.	Aug. Kirschmet	1405 Sulphur avenue.
107.	Frank Grosch	1431 Billion avenue.
	Other book F. J. Grosch	1431 Billion avenue.
108.	Chas. W. Ingraham	6313 Manchester avenue.
	Other book Chas. Ingerham	6213 Manchester avenue.
109.	Chas. E. Mouldon	6458 Cheltenham avenue.
	Other book Chas. E. Molden	6458 Cheltenham avenue.
110.	Jno. Hefele	6328 Cheltenham avenue.
111.	John F. C. Muegge	6429 Manchester avenue.
	Other book J. T. C. Muegge	6429 Manchester avenue.
112.	Geo. W. Schmit	6238 Clayton avenue.
	Other book Geo. W. Smith	6238 Clayton.
113.	Con. Boland	6413 Cheltenham avenue.
	Other book Com. Bolin	6413 Cheltenham avenue.
114.	Maurice Cooper	1553 Tamm avenue.
	Other book Morris Cooper	1553 Tamm avenue.
115.	Patk. McDonald	6507 Manchester avenue.
116.	Edw. Hutti	1340 Tamm avenue.

No.	Name.	Address.
117.	Redmond Colnon	6300 Columbia avenue.
	Other book Redmond Collon	6300 Columbia avenue.
118.	Chas. A. Hull	1505 Tamm avenue.
119.	Chas. Miltz.	6506 Nashville avenue.
	Other book Chas. Miltz.	6506 Nashville avenue.
120.	H. D. McClellan	6520 Wise avenue.
	Other book H. D. Cellom	6120 Wise avenue.
121.	Chas. Balmer	6128 Elyzibeth avenue.
122.	E. B. Sohns	2115 Clifton avenue.
123.	Hy. T. Gratiot	6135 Victoria avenue.
124.	Ab. D. Keller	6233 Clifton avenue.
125.	John S. McVey	6401 Manchester avenue.
126.	Wm. E. Hamlin	6459 Lloyd avenue.
127.	A. P. Gratiot	6135 Victoria avenue.
128.	Danl. O'Donovan	6559 Manchester avenue.
129.	Peter Wilbert	1333 Ripple avenue.
	Other book P. Wilvert	1333 Ripple avenue.
130.	Jno. McAviney	6401 Manchester avenue.
131.	Jno. H. Bracken	6158 Crescent avenue.
132.	Frank E. Lawrence	6229 Columbia avenue.
133.	Jno. B. Taylor	6117 Simpson avenue.
134.	Leander Hallock	6317 Clifton avenue.
135.	E. G. Sherman	6551 Manchester avenue.
136.	Geo. H. H. Petzold	6149 Elyzibeth avenue.
137.	A. H. Kleinschmidt	6633 Mitchel avenue.
138.	Chris. Brockschmidt	1429 Billion avenue.
139.	Tim J. Sullivan	6401 Manchester avenue.
140.	Louis Moller	6148 Simpson avenue.
141.	Ramy C. Deschner	6531 Mitchel avenue.
	Other book, Rem C. Deschner	6531 Mitchel avenue.
142.	Louis Bacher	6301 Clayton avenue.
143.	Peter Manion	6450 Cheltenham avenue.
144.	Clark Young	6434 Cheltenham avenue.
145.	W. J. Lewis	6255 Simpson avenue.
146.	L. P. Mowrer	6413 Lloyd avenue.
	Other book, Lozene Mowrer	6413 Lloyd avenue.
147.	Frank Foster	6108 Cheltenham avenue.
148.	Thos. Topping	6424 Brockschmidt place.
149.	Jno. Jos. Kramer	6619 Ville avenue.
150.	Ross Ch. H. Hallock	6317 Clifton avenue.
151.	Columbus Bradford	6317 Clifton avenue.
152.	Edmund Bowman	1441 Billion avenue, rear.
153.	Fred Hoffman	6631 Manchester avenue.
	Other book, Fred Hoffmann	6631 Manchester avenue.
154.	Robt. Roloff	6031 Eitman avenue.
155.	J. L. Curl	2109 Clifton avenue.
156.	Frank Signaigo	6432 Nashville avenue.
157.	Jos. M. Robinson	6121 Victoria avenue.
158.	Wm. R. O'Gorman	1527 Tamm avenue.
159.	J. P. O'Gorman	6452 Nashville avenue.
160.	Geo. W. Myers	2155 Clifton avenue.
161.	Fred Stegman	6401 Manchester.
162.	Jas. Merry	6321 Clifton avenue.
163.	Emil Siekman	6643 Ville avenue.
	Other book, Emil Seikman	6643 Ville avenue.
161.	Jas. Geraghty	6507 Manchester avenue.
165.	Geo. Saxton	1306 Graham avenue.
166.	W. F. Sherman	6210 Clifton.
	Other book, W. F. Sherman	
167.	R. B. Murphy	6120 Victoria avenue.
168.	E. H. Bellamy	6428 Cheltenham avenue.
169.	Aug. Lagarce	6501 Manchester avenue.
	Other book, Gus. Lagauree	6501 Manchester avenue.
170.	Dennis Coyne	6543 Manchester avenue.
171.	David Brady	1341 Graham avenue.
172.	Jno. C. Brockschmidt	6432 Dale avenue.
173.	Jno. M. Rooney	1316 Graham avenue.
174.	F. G. Eitman	6007 Eitman avenue.
	Other book, F. G. Eitman	6007 Columbia avenue.
175.	Thos. M. O'Gorman	1547 Tamm avenue.
176.	Jos. Hefele	1324 Graham avenue.
177.	Rich W. Dowler	6671 Old Manchester road.
178.	Pat. McDonald	6507 Manchester avenue.
179.	Harry J. Scullin	6346 Clifton avenue.
180.	Jno. W. Taylor	6250 Clifton avenue.
181.	E. T. Lambe	6346 Clifton avenue.
	Other book, Edw. T. Lambe	6346 Clifton avenue.
182.	Jere McGrath	6507 Manchester avenue.
183.	J. Ronan	6549 Manchester avenue.
184.	Jno. Barry	1368 Tamm avenue.
185.	Benj. F. Carpenter	6404 Lloyd avenue.
186.	Mich. Brady	1325 Ripple avenue.
187.	Jas. Nolan	1310 Graham avenue.
188.	Jas. E. Nixon	1551 Tamm avenue.
189.	Mich. Regam	6420 Brockschmidt.

No.	Name.	Address.
190.	Peter Walker	6410 Wade avenue.
191.	A. B. Clark	2233 Clifton avenue.
192.	Jno. Schleinfinger	6501 Manchester avenue.
193.	Mich. Carney	6527 Manchester avenue.
194.	Jno. Quayle	6415 Manchester avenue.
195.	E. F. Gibbons	6452 Cheltenham avenue.
196.	T. F. Bibbons	6547 Manchester avenue.
197.	J. F. Donnelley	6603 Manchester avenue.
198.	Fred Handley	1471 Tamm avenue.
199.	Jno. Jepson	6401 Manchester avenue.
200.	E. A. Casey	1368 Tamm avenue.
201.	Frank Gibbons	6452 Cheltenham avenue.
202.	Thos. Palmer	6501 Manchester avenue.
203.	Martin McGinty	6507 Manchester avenue.
204.	Geo. B. Bolt	6655 Mitchel avenue.
205.	Wm. Quinn	6322 Cheltenham avenue.
206.	W. H. Rhoads	6002 Eitman avenue.
207.	Rich Eitman	6007 Columbia avenue.
208.	F. A. Hoffmann	6631 Manchester avenue.
209.	Otto Kniekmeyer	6436 Wise avenue.
210.	Wm. Wilsch	1517 Billion avenue.
211.	Robt. Brown	1517 Billion avenue.
212.	E. W. Gunther	6427 Cheltenham avenue.
213.	Jno. O'Hare	6502 Cheltenham avenue.
	Other book, Jno. D. O'Hara	6502 Cheltenham avenue.
214.	Sidney Bickley	6212 Clifton avenue.
215.	Harvey E. Glass	1333 Ripple avenue.
216.	Thos. A. Hetherington	6424 Brockschmidt place.
217.	Ed. G. Dunn	1316 Graham avenue.
218.	J. M. Whitson	6131 Simpson avenue.
219.	Al. C. Deihl	1435 Billion avenue.
220.	Jac. Hefele	6328 Cheltenham avenue.
221.	Patk. J. Hart	1429 Tamm avenue.
222.	J. E. Bennett	6400 Clayton avenue.
223.	Chas. Hugo Lorenz	1326 Ripple avenue.
224.	C. L. Fenton	6545 Manchester avenue.
225.	Jos. Seger	6301 Clayton avenue.
226.	Geo. R. Nagle	6238 Clayton avenue.
227.	Ed. P. O'Gorman	West end Wade avenue.
228.	Frank Berry	6441 Cheltenham avenue.
	Other book, Frank Barry	6440 Cheltenham avenue.
229.	Wm. M. Brady	6150 Cheltenham avenue.
230.	T. D. Burns	6411 Manchester avenue.
231.	Jno. Binder	6145 Elizabeth.
	Other book, Jno. Bender	6145 Elizabeth avenue.
232.	M. Fairchild	6625 Clifton avenue.
233.	Wm. Scheffel	6649 Ville avenue.
234.	Jno. Kramer	6654 Ville avenue.
235.	Wm. M. Barth	6100 Cheltenham avenue.
236.	Robt. J. H. W. Staak	6416 Brockschmidt place.
237.	Edw. McArdle	1347 Graham avenue.
	Other book, Edw. J. McArdle	1347 Graham avenue.
238.	Peter Connelly	6215 Clayton avenue.
239.	Hy. Harberstroh	6235 Clayton avenue.
240.	Wm. H. Burnett	1322 Louisville avenue.
	Other book, Wm. Barnett	1322 Louisville avenue.
241.	A. C. Kinkad	6225 Columbia avenue.
	Other book, A. C. Kinceid	6225 Columbia avenue.
242.	Wm. T. Regan	6224 Cheltenham avenue.
243.	Jno. H. Higginbotham	6158 Simpson avenue.
244.	P. H. Roberts	6108 Elizabeth avenue.
245.	Edw. D. Cody	1223 Childress avenue.
246.	W. G. Dildree	N. W. cor. Tamm and Clay- ton avenues.
247.	W. M. Billups	2102 Clifton avenue.
248.	F. L. Gannaway	6205 Elizabeth avenue.
249.	Wm. R. Dawson	6035 Eitman avenue.
250.	M. Maloney	6400 Clayton avenue.
251.	Jul Schaubert	6218 Cheltenham avenue.
252.	Jno. Tipp	1356 Tamm avenue.
	Other book, Jas. Tipp	1356 Tamm avenue.
253.	Jas. Mouldon	1217 Childress avenue.
	Other book, Jas. Neldon	1217 Childress avenue.
254.	Curtis M. Parker	6121 Simpson avenue.
255.	Steinraup	1507 Billion avenue, rear.
256.	Wm. T. Quinn	6322 Cheltenham avenue.
257.	G. A. Hrauby	6429 Cheltenham avenue.
258.	David Miller	6451 Nashville avenue.
259.	Philip Zimmerman	6530 Nashville avenue.
260.	Chas. Baumbhof	6458 Wise avenue.
261.	Oscar F. Soepfel	1523 Billion avenue.
262.	E. Swarthoup	2167 Grove avenue.
263.	A. Cook	Lloyd, between Dale and Tamm ave.
264.	T. T. Green	6134 Cheltenham avenue.
265.	Chas. A. Ralston	6448 Nashville avenue.

No.	Name.	Address.
266	Addison Hermans	6233 Clifton avenue.
267	Wm. J. Hinderham	6426 Wise avenue.
268	Chas. Labitzke	1517 Billion avenue, rear.
269	Mich. Delaney	1339 Graham avenue.
270	Fred Brockschmidt	1429 Billion avenue.
271	Geo. W. Diehl	1437 Billion avenue.
272	W. C. Lohmeyer	1321 Graham avenue.
273	Thos. G. Lovicks	1429 Billion avenue, rear.
274	A. E. Moller	1307 Graham avenue.
275	F. E. Lohmeyer	1321 Graham avenue.
276	Edm. Rost	6510 Nashville avenue.
277	Thos. J. Williams	2101 Clifton avenue.
278	Wm. H. Gilligan	1517 Billion avenue.
279	D. L. Cronin	1533 Tamm avenue.
280	Monroe R. Cramer	6342 Clifton avenue.
281	Wm. Riekert	1509 Billion avenue, rear.
282	Jno. C. Perry	2325 Esther avenue.
283	Wm. Carney	6527 Manchester avenue.
284	Jas. W. Mouldon	1217 Childress avenue.
	Other book Jas. W. Moldon	1217 Childress avenue.
285	W. G. Cummings	6424 Wise avenue.
286	Jas. E. Shields	6431 Cheltenham avenue.
	Other book Jas. E. Shields, sr.	6431 Cheltenham avenue.
287	J. J. Meyer	6504 Nashville avenue.
288	Rob't Russell	1533 Tamm avenue.
289	White Carroll	6644 Manchester avenue.
290	Chas. Stevenson	6420 Wade avenue.
291	Gus Schaeffer	6557 Manchester avenue.
292	Wm. Doerr	6400 Clayton avenue.
	Other book this name does not appear.	
293	Wm. Wheeler	1342 Ripple avenue.
294	Jno. W. Spargo	6353 Clifton avenue.
295	Wm. G. Janson	6150 Cheltenham avenue.
	Other book Wm. G. Jansen	6150 Cheltenham avenue.
296	C. A. Martin	6678 Cheltenham avenue.
297	H. W. Fairchild	6239 Columbia avenue.
298	Ban Green	1340 Tamm avenue.
299	Philip Langsdorf	1315 Graham avenue.
	Other book Philip Langstorf	1315 Graham avenue.
300	Edw. Brockschmidt	6404 Brockschmidt.
301	H. W. East	6268 Forest avenue.
302	Aug. J. Mesch	6204A Crescent avenue.
303	Thos. Saddler	6131 Cheltenham avenue.
304	E. G. Nixon	1551 Tamm avenue.
305	Mich. McDonald	6507 Manchester avenue.
306	Edw. Rundle	6430 Wise avenue.
307	Moritz Gaus	6534 Nashville avenue.
308	R. E. Dudeck	6458 Cheltenham avenue.
309	A. H. Eitman	6007 Columbia avenue.
310	Thos. J. Saxton	6162 Cheltenham avenue.
311	Mich. Winters	1316 Graham avenue.
312	J. R. Gay	6255 Columbia avenue.
313	Harry Skelcher	6121 Cheltenham avenue.
314	Edw. Rooney	1361 Graham avenue.
315	F. B. Braznell	6432 Lloyd avenue.
316	J. F. Wyatt	6411 Cheltenham avenue.
317	Jno. Berreshein	6648 Ville avenue.
318	D. M. Lewis	6327 Clifton.
319	J. J. Braznell	6432 Lloyd avenue.
320	Wm. T. Gallagher	1358 Graham avenue.
321	Eckert Hasenpflug	6418 Cheltenham avenue.
322	Rich. Gabbert	1521 Billion avenue.
323	Martin Fahey, jr.	6312 Cheltenham avenue.
324	Jas. S. Shields	6431 Cheltenham avenue.
325	E. Alex. Smith	6505 Manchester avenue.
326	Jas. Quinn	6322 Cheltenham avenue.
327	Martin Fahey	6312 Cheltenham avenue.
328	Wm. Ring	1348 Graham avenue.
	Other book Wm. R. Ring	1348 Graham avenue.
329	J. O. Stapleton	1509 Billion avenue, rear.
330	Frank Garrett	6401 Manchester avenue.
331	Wm. T. Olson	1208 Louisville avenue.
332	Frank Schurwan	6200 Cheltenham avenue.
333	Fred. Sauten	6162 Cheltenham avenue.
334	Jno. Fahey	6312 Cheltenham avenue.
335	Chas. E. Goodale	6225 Elizabeth avenue.
336	J. C. Hazlett	2181 Clifton avenue.
337	L. A. Menke	1549 Tamm avenue.
	Other book L. A. Menkie	1549 Tamm avenue.
338	R. C. Echard	6535 Mitchel avenue.
339	Alb. Weingaertner	6515 Manchester avenue.
340	Herm. Riesmeyer	6446 Dale avenue.
	Other book Herman Riesmier	6446 Dale avenue.
341	Thos. Hay	6428 Wise avenue.
342	Geo. S. Kinghorn	1340 Tamm avenue.

No.	Name.	Address.
343.....	Walter Bell	6436 Cheltenham avenue.
344.....	Andrew Vogel	6175 Berthold avenue.
345.....	D. Bastiani	6130 Berthold avenue.
346.....	Wm. E. Meyer	6504 Nashville avenue.
347.....	J. F. Bennett	6400 Clayton avenue.

Q. Will you state the number of votes for each Congressional candidate for the short term as certified to by the judges in the poll books from which you have just read?—A. James J. Butler received 175 votes, Geo. C. R. Wagoner received 142 votes, Henry W. Artz received 4 votes.

Q. How many of the judges and clerks signed these books?—A. Two judges and two clerks.

CITY OF ST. LOUIS, *State of Missouri*, ss:

We, Charles Claudius and Louis Wageman, being duly sworn as aforesaid, testify that all the numbers, names, and addresses appearing in the foregoing depositions were written down in our presence and that the same are recorded as they appear in the poll books produced and read from as above.

Subscribed in my presence and sworn to before me this 3d day of January, 1903.

Notary Public, City of St. Louis.

My term will expire April 16, 1906.

Contestant's Exhibit No. 6—A. R. Russell, notary public.

Depositions of witnesses produced, sworn, and examined on this 29th day of December, 1902, between the hours of 8 a. m. and 6 p. m., before me, Wm. D. Moore, a notary public, within and for the city of St. Louis, State of Missouri, at the office of the election commissioners in the city hall, in said city and State in the contested election case now pending before the Fifty-seventh Congress of the United States, from the Twelfth Congressional district of Missouri, in which George C. R. Wagoner is the contestant and James J. Butler is the contestee, on behalf of the contestant.

Present: W. M. Kinsey on behalf of contestant; Frank Walsh on behalf of contestee.

JOHN A. SLOAN and ROBERT L. JORDAN were called as witnesses on behalf of the contestant, and being duly sworn were examined as follows:

By Mr. KINSEY:

Q. Mr. Sloan, you and Mr. Jordan are the two clerks in the board of election commissioners who have been directed to produce the poll books used at the last election, November 4, 1902, in this city, are you?—A. Yes, sir.

Q. Will you, in obedience to the direction of the board, now produce the poll books used at that election in precincts 1, 2, 3, 4, and 5 of the Fourth Ward?

Said poll books are produced.

Q. Will you take the poll books for the first precinct of the Fourth Ward, and, beginning with the first name on that book, give first the number, second the name, and third the address as recorded in that book from the first to the last name in the book?

The witness proceeded to read from the book as follows:

Number.	Name.	Address.
1.....	Hebeet, Paul W.	208 Chestnut street.
2.....	Howard, C. E.	12 North Fourth street.
3.....	Frey, Louis C.	307 Market street.
4.....	Connors, Michael M.	620 North Broadway.
5.....	Worstell, Wm. W.	620 North Broadway.
6.....	Kaing, John L.	304 North Commercial street
7.....	Coreoran, Thos.	307 Pine street.
8.....	Haley, Patrick	270 Market street.

Number.	Name.	Address.
9.	Hart, Benj. F.	Fourth and Locust streets.
10.	Stark, C. M.	620 North Broadway.
11.	Bochen, E. A.	406 Morgan street.
12.	Schaffner, Fred	210 Chestnut street.
13.	Miller, Wm. M.	401 North Fourth street.
14.	Kenney, T. P. Kaing	418 Lucas avenue.
15.	Meyers, John	620 North Broadway.
16.	Burgett, Thos.	210 Olive street.
17.	Bruno, August	220 Pine street.
18.	Ayers, A. P.	221 North Third street.
19.	Wetmore, Hugh A.	210 Olive street.
20.	Dory, Peter	109 Market street.
21.	Long, W. F.	210 Olive street.
22.	Lee, Wm.	409 North Levee street.
23.	Slayden, W. F.	405 North Levee.
24.	Geisler, Geo.	301 North Main street.
25.	Walker, Frank	407 North Levee.
26.	Hartman, Fred'k	210 Olive street.
27.	Niemeyer, Henry	10 North Fourth street.
28.	Mulstay, Edwd.	210 Olive street.
29.	Tyler, C. W.	215 Market street.
30.	Tierney, Martin.	508 North Third street.
31.	Ulrich, Dominick	307½ Pine street.
32.	Bulke, Christopher.	210 Olive street.
33.	Bantilberg, Jno., or Vantilberg	508 North Third street.
34.	Bruce, Henry	409 North Levee.
35.	Grant, John	324 North Third street.
36.	Ford, Walter	324 North Third street.
37.	Egan, John.	324 North Third street.
38.	Webb, Porter	409 North Levee.
39.	King, George	324 North Third street.
40.	Carter, William	324 North Third street.
41.	Lane, Martin.	324 North Third street.
42.	Ross, Wm.	620 North Broadway.
43.	Lung, Harry	701 North Fourth street.
44.	Anderson, Walter	324 North Third street.
45.	Jones, Frank	324 North Third street.
46.	Davis, James	701 North Fourth street.
47.	Malone, Joe	701 North Fourth street.
48.	Thomas, James	620 North Broadway.
49.	O'Connor, John	620 North Broadway.
50.	Brown, Andrew	324 North Third street.
51.	Grant, Walter	324 North Third street.
52.	Frank, Ed.	324 North Third street.
53.	Phillips, Edw.	620 North Broadway.
54.	Morris, Thos.	620 North Broadway.
55.	Dean, Harry	324 North Third street.
56.	Walton, Harry	701 North Fourth street.
57.	Graham, or Graham, John	409 North Levee.
58.	Terry, Fred	324 North Third street.
59.	Harman, John	701 North Fourth street.
60.	Ross, Wm.	620 North Broadway.
61.	Smith, Philip	620 North Broadway.
62.	Reynolds, David	620 North Broadway.
63.	Casey, John	324 North Third street.
64.	Bates, Frank	324 North Third street.
65.	James, Thos.	620 North Broadway.
66.	Walsh, Mike	620 North Broadway.
67.	McDonald, George	701 North Fourth street.
68.	Henry, Wm.	324 North Third street.
69.	Grady, John	701 North Fourth street.
70.	Ames, George	324 North Third street.
71.	Martin, John	620 North Broadway.
72.	Osburg, E. H.	307 Locust street.
73.	Gilfoil, J. J.	510 North Third street.
74.	Rosch, W. J.	418 Lucas avenue.
75.	Mack, Pat	210 Chestnut street.
76.	Liemke, Herman.	203 North Third street.
77.	Kluckebrink, Geo.	22 North Fourth street.
78.	Sommerville, A. J.	210 Olive street.
79.	Loomis, F. A.	307 Locust street.
80.	Wise, Isaac T.	211 Chestnut street.
81.	Bradley, W. T.	418 Lucas avenue.
82.	Aegi, John	314 North Third street.
83.	Nordberg, John	210 Olive street.
84.	McCurdy, Elisha, or M. C.	301 Market street.
85.	Groves, Geo. W.	307 Locust street.
86.	Hanlon, E. W.	212 North Third street.
87.	Bowen, J. W.	210 Olive street.
88.	Sorensen, Peter	210 Olive street.
89.	Boggiana, or Boggina, Seraphine.	110 Chestnut street.
90.	Telfer, Jno. K.	20 North Fourth street.
91.	Cochran, Wm., or Corchran	14 North Fourth street.
92.	Glasgow, Eugene.	409 North Levee.
93.	Habben, Edwd.	22 North Fourth street.

Number.	Name.	Address.
94.....	Cole, Edwd.....	307 Pine street.
95.....	Fancette, Michael.....	222 Pine street.
96.....	Gehan, James.....	12 North Fourth street.
97.....	Heath, Wm.....	409 Lucas avenue.
98.....	Fitzgerald, Philip T.....	307½ Pine street.
99.....	Bicker, Chas. F.....	400 Morgan street.
100.....	Stewart, Chas., or Chas. S.....	10 North Third street.
101.....	Henzell, Fredk. W.....	210 Olive street.
102.....	Baker, Henry.....	409 North Levee.
103.....	Walker, Will.....	409 North Levee.
104.....	Judy, Wm., or Wm. H.....	702 North Fourth street.
105.....	Mattson, Madsen, Hans C.....	210 Olive street.
106.....	Gaines, Edwd.....	409 North Levee.
107.....	Hilsbury, Jas.....	409 North Levee.
108.....	Manstfield, Nicholas.....	510 North Third street.
109.....	Kirk, Andrew.....	510 North Third street.
110.....	King, Jno.....	409 North Levee.
111.....	Noonan, Patrick.....	301 Market street.
112.....	Wilson, John F.....	407 North Levee.
113.....	McNeil, Wm.....	512 North Levee.
114.....	Kendrick, Sam.....	412 or 411 Lucas avenue.
115.....	Sutthoff, Stephen A.....	210 Olive street.
116.....	Wilson, Jas.....	409 or 407 North Levee.
117.....	Green, Columbus.....	213 Market street.
118.....	Harris, Omar.....	314 Olive street.
119.....	Darrah, M. S.....	620 North Broadway.
120.....	Russel, Jas.....	215 Market street.
121.....	Walker, Jas.....	310 Chestnut street.
122.....	Wahman, Frank.....	107 Olive street.
123.....	Duval, Samuel.....	313 Market street.
124.....	Sims, Jno.....	409 North Levee.
125.....	Gilbert, Fred.....	409 North Levee.
126.....	Jarratt, Gilbert.....	418 Lucas avenue.
127.....	Terry, Sam.....	512 North Levee.
128.....	Voney, Matthew.....	316 North Fourth street.
129.....	Riddle, H. E.....	313 Locust street.
130.....	Poindexter, William.....	209 Chestnut street.
131.....	Lambrecht, Ernest.....	12 North Third street.
132.....	Largue, Alex.....	17 North Third street.
133.....	Burnside or Bernside, Jim.....	17 North Third street.
134.....	Bicker, W. W.....	400 Morgan street.
135.....	Rampe, J. B.....	401 North Levee.
136.....	Bostic, Louis.....	512 North Levee.
137.....	Bond, Thos.....	409 North Levee.
138.....	Farrell, Wm.....	13 North Levee.
139.....	Franso, Fred.....	409 North Levee, or 401 North Levee.
140.....	Leahey, Mike.....	210 Olive street.
141.....	Boggianna, Joseph.....	110 Chestnut street.
142.....	Harper, Geo.....	701 North Fourth street.
143.....	Hahn, Chas.....	6 North Third street.
144.....	White, Edwd.....	620 North Broadway.
145.....	Hall, Jno.....	701 North Fourth street.
146.....	Buchtman, or Berchtman, Joe.....	417 Lucas Avenue.
147.....	Gilmore, Jno.....	620 North Broadway.
148.....	Walsh, Jno.....	418 Lucas avenue.
149.....	McCosker, M.....	22 North Second street.
150.....	Robinson, or Robison, O'Neil.....	409 North Levee.
151.....	Hall, Frank.....	409 North Levee.
152.....	Brooks, Leo.....	409 North Levee.
153.....	Sims, Wm.....	512 North Levee.
154.....	Snorton, Ed.....	305 North Levee.
155.....	Woodward, Albert.....	12½ North Third street.
156.....	Massard, Ernest.....	214 North Levee.
157.....	Anderson, Dan.....	409 North Levee.
158.....	Sullivan, Matt.....	620 North Broadway.
159.....	Schmur, Moritz.....	12 North Levee.
160.....	Harris, Albert.....	701 North Fourth street.
161.....	Gray, Henry.....	620 North Broadway.
162.....	Gross, Andrew.....	620 North Broadway.
163.....	Anderson, M.....	701 North Fourth street.
164.....	Brennan, M. J.....	316 North Fourth street.
165.....	Norton, Thos.....	324 North Third street.
166.....	Brennan, Walter.....	620 North Broadway.
167.....	Kane, Thos.....	407 North Levee.
168.....	Spence, Geo.....	409 North Levee.
169.....	Coreoran, Dan.....	620 North Broadway.
170.....	Fagin, Thos.....	217 Market street.
171.....	Gannon, Thos.....	620 North Broadway.
172.....	Hill, J. E.....	411 Lucas avenue.
173.....	Davis, Elmos.....	409 North Levee.
174.....	Moore, Jno.....	409 North Levee.
175.....	Jackson, Jas.....	512 North Levee.
176.....	Pitman, Geo.....	407 North Levee.
177.....	Tuck, Robt.....	512 North Levee.
178.....	Davis, Walter.....	620 North Broadway.

Number.	Name.	Address.
179.....	Hoppenjohn, or Hoppenjon, J. G.....	210 Olive street.
180.....	Hilleneuttter, H. H.....	701 North Fourth street.
181.....	O'Brien, Wm.....	407 North Levee.
182.....	Cawley, Jno.....	311 Market street.
183.....	Lewis, Jas.....	512 North Levee.
184.....	Darling, Thos.....	620 North Broadway.
185.....	Reed, Phil.....	409 North Levee.
186.....	Mallinkrodt, Jas.....	314 North Third street.
187.....	Bolan, Harry.....	407 North Levee.
188.....	Lewis, Geo.....	107 North Levee.
189.....	Porter, Philip.....	304 Commercial, or North Commereial.
190.....	Moore, Geo.....	321 North Third street.
191.....	Elliott, Jack.....	418 Lucas avenue.
192.....	Ghio, Anton.....	110 Chestnut street.
193.....	Bamberger, Geo.....	18 North Fourth street.
194.....	Locke, Nicholas.....	210 Olive street.
195.....	Jones, Arthur.....	409 North Levee.
196.....	Mosley, Jones.....	512 North Levee.
197.....	Wells, Jas.....	310 North Levee.
198.....	Wright, Frank.....	512 North Levee.
199.....	Williams, Forrest.....	409 North Levee.
200.....	Taylor, Jas.....	409 North Levee.
201.....	Turner, Bill.....	409 North Levee.
202.....	Bird, Henry.....	409 North Levee.
203.....	Allen, Wm.....	409 North Levee.
204.....	Allen, Clifford.....	409 North Levee.
205.....	Johnson, Budd.....	409 North Levee.
206.....	Rogers, Wm. H.....	314 North Third street.
207.....	Feald, Ed.....	620 North Broadway.
208.....	Dowdell, Jas. or John.....	407 North Levee.
209.....	Harris, Robt.....	620 North Broadway.
210.....	Bell, Ed.....	418 Lucas avenue.
211.....	Walsh, Philip.....	418 Lucas avenue.
212.....	Brannon, Thos.....	620 North Broadway.
213.....	Davis, Harry.....	620 North Broadway.
214.....	Saes, Jno.....	407 North Levee.
215.....	Gorman, Frank.....	620 North Broadway.
216.....	Long, Henry.....	324 North Third street.
217.....	Harris, Sam.....	409 North Levee.
218.....	Campbell, Henry.....	409 North Levee.
219.....	Little, Jas.....	409 North Levee.
220.....	Harrison, Frank B.....	418 Lucas avenue.
221.....	Conway, Frank.....	409 North Levee.
222.....	Williams, Geo.....	512 North Levee.
223.....	Terry, Henry.....	409 North Levee.
224.....	Moore, Dan.....	409 North Levee.
225.....	Watkins, Ike.....	409 North Levee.
226.....	Jones, E. H.....	212 or 210 Chestnut street.
227.....	Banston, Jas.....	512 North Levee.
228.....	Hicks, Darby.....	409 North Levee.
229.....	O'Neil, Albert.....	17 North Third street.
230.....	Dillon, Nathan.....	409 North Levee.
231.....	Menke, Barney.....	1 Market street.

Q. Will you now turn to the certificate made by the judges and clerks of said precinct and ward and read therefrom the result of said election for the short term for Congress in the Twelfth Congressional district of Missouri, giving the name and the number of votes certified to have been received by each candidate according to said certificate?—A. James J. Butler received 197 votes. Geo. C. R. Wagoner or George Wagoner received 26 votes. Henry H. Artz or Henry Artz received 1 vote.

Q. Where in your deposition as given above you have mentioned the names of voters and candidates in the alternative, connecting such names by the word "or," does this alternative mention of names indicate differences between the two poll books from which you have been reading and testifying?—A. Yes.

Q. Will you now take the poll books used in precinct 2 of the Fourth Ward at the election held November 4, 1902, and read therefrom as a part of your testimony the number, name, and residence of each voter as recorded in said books?—A. Yes.

PRECINCT 2, WARD 4.

Number.	Name.	Address.
1.	Wright, Walter.	508 Wash street.
2.	Wright, Jno. M.	923 Collins street.
3.	Kane, Thos.	1011 Collins street.
4.	Wolfort or Wolff, Jno.	1017 Collins street.
5.	Hess, Harry.	903 North Sixth street.
6.	Rosewell, Joseph.	1017 North Second street.
7.	Byrnes, Wm. W.	214 Franklin avenue.
8.	Frederick, Louis.	930 North Broadway.
9.	McGrory, Frank.	1011 Collins street (address given in one only).
10.	Hogan, Geo.	419 Morgan street.
11.	Crowley, Thos. F., or Growley.	419 Morgan street (address given in one only).
12.	Hines, Frank.	419 Morgan street.
13.	Daley, Dan.	419 Morgan street (Christian name given in one only).
14.	Regan or Reagan, Wm.	417 Morgan street.
15.	Quinlavan or Quinlaver, Mike or Frank.	417 Morgan street (only one address given).
16.	Curran, Chas., or Kern, Frank.	417 Morgan street (only one address given).
17.	Quinlman, Michael.	417 Morgan street.
18.	Gates, Jno.	419 or 417 Morgan street.
19.	Wilson, Harry.	935 North Broadway or 417 Morgan.
20.	Dunn, Jas.	419 Morgan street.
21.	Barnes, Harry.	419 Morgan.
22.	Collins, Thos.	419 Morgan street.
23.	Mack, Jno.	1011 Collins street.
24.	Newman, Herman.	417 Morgan street.
25.	Hines, H.	900 North First street.
26.	Quinn, Edwd.	417 Morgan street.
27.	Vale, H.	413 Morgan street.
28.	Hughes, Chas.	1033 North Second or Collins.
29.	Bates or Baker, Danl.	514 Wash street.
30.	Walton, Frank.	935 North Broadway.
31.	O'Conner, Michael.	1013 Collins street.
32.	Little, Fred.	933 North Broadway.
33.	Geies, or Geties, Joseph.	933 North Broadway.
34.	Howe, J. K., or Hall.	933 North Broadway (only one street given).
35.	Ryan, Edw. or Jno.	619 Morgan street.
36.	Baker, Herman.	601 Franklin street.
37.	Bass, Edw.	912 North Sixth street.
38.	Hull, Jno.	900 North Broadway or 933 Broadway.
39.	Jones, Thos.	933 North Broadway.
40.	Comps or Combs, Jos.	601 Franklin avenue.
41.	Wright, Patrick.	923 Collins street.
42.	Walsh, Wm.	1026 Collins street or 1023 Collins.
43.	Weatherwax, Chas.	700 North Third.
44.	McCarthy, Jno.	1019 Collins street.
45.	Jullins, Wm.	1017 North Second street.
46.	Collins, Jas.	1011 or 1013 Collins street.
47.	Kersick, Jas. or Wm.	1012 or 1011 Collins street.
48.	Brown, Chas.	601 Franklin avenue.
49.	Haney, Jno.	1011 Collins street.
50.	Cullen, Jas.	1011 Collins street.
51.	Aster, Jno.	601 Franklin avenue (one address only given).
52.	Bell, Jas.	413 Morgan street.
53.	Mulligan, Edw.	900 North Third street.
54.	Myres or Myers, Edw.	417 Morgan street.
55.	Dolan, Jas.	1019 North Second street.
56.	Cornell, Jno.	601 Franklin avenue.
57.	Able or Abel, Geo.	619 Franklin avenue.
58.	Miller, Herman.	417 Morgan.
59.	Moresey or Morrison, Jas.	417 Morgan.
60.	Jackson, Thos.	417 Morgan.
61.	Neff, Geo., or Mers, Geo.	419 Morgan.
62.	Glas, G. H.	419 Wash street.
63.	Dunn, Jno.	1026 Collins street.
64.	Kennedy, Jno.	619 Franklin street.
65.	Billey, Geo.	1017 North Second street.
66.	Maher, Thos.	601 Franklin avenue.
67.	Ferguson, John or J. E.	1038 North Third street.
68.	Morits, Mike or Frank.	619 or 419 Morgan street.
69.	Creighton, Jno.	930 North Sixth street.
70.	O'Connell or O'Connel, Jno.	923 Collins street.
71.	Kelly, Thos.	1026 Collins or 923 Collins.
72.	Logan, R.	1000 North Third street.
73.	Murphy, Jno.	1026 Collins street.
74.	Barry, Wm.	419 Morgan street.
75.	Evans, Wm.	930 North Sixth street.
76.	Harvey, Jno.	1026 North Second street.

PRECINCT 2, WARD 4—Continued.

Number.	Name.	Address.
77.	Murphy, Edw.	900 North First street.
78.	Carroll, John.	1038 North Third street.
79.	Nederlueck or Nederlutz, Wm.	1026 Collins street. (Address only on one.)
80.	Burns, Chas.	700 North Third.
81.	Ford, Henry	615 Franklin avenue.
82.	Krause, Albert	700 North Third street.
83.	Ford, Thomas.	912½ North Sixth street.
84.	Carr, Wm.	700 North Broadway, or Third street.
85.	Gillein, Martin	700 North Broadway, or Third street.
86.	Herter, Louis.	919 Collins street.
87.	Grady, John.	601 Franklin avenue (no address in one).
88.	Hayes, Thomas	419 Morgan street.
89.	Hughes, Thomas E.	1014 Collins street.
90.	Higgins, Martin	1019 North Second street.
91.	Morrison, Frank, or Harry	417 Morgan street.
92.	Vane, Harry	935 North Broadway.
93.	Elly, Myer	417 Morgan street.
94.	Ryan, Wm.	1012 Collins street.
95.	Wyley or Riley, Samuel.	1019 North Second street.
96.	Ern, Wm.	1017 North Second.
97.	Jones, Thomas, or William	601 Franklin avenue.
98.	Riley, James	417 Morgan street.
99.	Madden, James	1026 Collins street.
100.	Henderson, Thomas	1038 North Third.
101.	Walton, Daniel.	933 North Broadway.
102.	Bell, James.	601 Franklin.
103.	O'Callaghan, Daniel	930 North Sixth (O'Callahan in one).
104.	Harrington, Frank	1026 Collins street.
105.	Gillen, James	601 Franklin.
106.	Kane, John	601 Franklin (no address on one).
107.	Kiley, Edw.	1038 North Third in one, 634 North Third in other.
108.	Jones, Charles, or George.	214 Franklin (in one no street).
109.	Steinberg, James.	1018 North Third street.
110.	Waton, John	933 North Broadway.
111.	Leirty, Fred.	601 Franklin (in one no street).
112.	Richards, Edw.	923 North Broadway.
113.	Ford, Michael.	1035 North Second street.
114.	Lutz, Frank	601 Franklin.
115.	Gillen, Frank	1017 North Second (in one Collin).
116.	Campbell, Sam'l	700 North Third.
117.	Woods, James	1012 Collins street.
118.	Benton, Peter	No address; no initials in one.
119.	Rohan, Harry	1035 North Second street.
120.	Adams, Frank	601 Franklin (in one no address).
121.	Connors, M. E.	1035 North Second street.
122.	Brady, Hugh	601 Franklin avenue.
123.	Gordon, Geo.	933 North Sixth.
124.	Laughtin, Joseph W.	1026 Collins (in one it is Lockland, G. W.).
125.	Rohan, Harry	516 Wash street.
126.	Norton, Michael	1011 Collins street.
127.	Walsh, Thomas	1038 North Third.
128.	Gerard, E. J.	601 Franklin avenue.
129.	Toomey, Joseph	1019 North Second street.
130.	Daniel, Ralph	601 Franklin.
131.	Lane, James	417 Morgan.
132.	Karns, John.	700 North Third.
133.	Wilson, John H.	601 North Levee.
134.	Steele, C. F.	601 Franklin.
135.	Brady, Frank	912½ North Sixth.
136.	Keegan, Thomas	1035 North Second street.
137.	Canfield, R. J.	811 North Levee.
138.	Bradley, John.	601 Franklin.
139.	McNellis, Daniel	601 Franklin.
140.	Burns, Frank	601 Franklin.
141.	Woods, John	601 Franklin.
142.	McGrory, J. W.	704 North Levee.
143.	Gillum, Frank	1017 North Second street.
144.	Bell, James.	601 Franklin.
145.	McHatton.	700 North Third.
146.	Bryne, P.	700 North Third.
147.	Naes, John	601 Franklin.
148.	Kelly, J. J.	1035 North Second.
149.	Miller, Frank	1026 Collins.
150.	Nolan, John	941 Collins.
151.	Blake, J. B.	516 Wash.
152.	Lafrada, Alf., or Ralph	945 Collins.
153.	Dow, John	1019 North Second.
154.	Patton, Harry	1019 North Second.
155.	Blunett, Harry	1026 Collins.
156.	Gilbert, J. T.	1011 Collins.
157.	Priwer, Aaron.	1030 North Third.

PRECINCT 2, WARD 4—Continued.

Number.	Name.	Address.
158.	Walker, Geo.	935 North Broadway.
159.	Tierney, Thomas, or Keraney	921 Collins.
160.	Tox, or Fox, John	1011 Collins.
161.	Erne, James	601 Franklin (in one no street).
162.	Stienberg, H	1018 North Third.
163.	Harris, Albert	1012 Collins.
164.	Farrell, J.	1026 Collins.
165.	Lepper, W. J.	619 Franklin (in one Joseph).
166.	Gross, Andrew	601 Franklin.
167.	Lund, A. K.	812 North Third.
168.	Ruygarosky, I.	1033 North Second.
169.	Kane, Mike	1011 Collins.
170.	Linn, H. W.	930 North Sixth street.
171.	Yarrington, A. A.	519 Morgan street.
172.	Pabst, A.	625 Franklin street.
173.	Lamb, J. C.	936 North Third street, or Sixth street.
174.	Kent, Jos.	801 Franklin street.
175.	Burnes, Thos.	930 North Broadway.
176.	Moran, Thos.	912 North Sixth street.
177.	Green, Geo.	930 North Broadway.
178.	Meagerty, Jno. E., jr.	945 Collins street.
179.	Casey, J. F.	1020 Collins street.
180.	Tighe, Henry	935 North Broadway.
181.	Schmidt, A.	930 North Sixth street.
182.	Dill, E. A.	810 North Broadway.
183.	Curran, Jos., or Kern.	1014 Collins street.
184.	Murphy, Mike	601 Franklin street.
185.	Brodrick, T. J.	508 Wash street.
186.	Dattolo, August	615 Franklin street.
187.	Dumlevy, Jas.	930 North Sixth.
188.	Lane, Thos.	930 North Broadway.
189.	McManus, G. E.	1026 Collins street.
190.	Priwer, David	1030 North Third street.
191.	Priwer, Max	1030 North Third street.
192.	Gray, Chas.	615 Franklin street.
193.	O'Brine, Thos.	1017 North Second street.
194.	Holmes, Patrick	930 North Broadway.
195.	Kelley, Wm.	1035 North Second street.
196.	Lamb, Joseph	933 North Sixth street.
197.	Burnett, Thos.	615 Franklin street.
198.	Reardon, Greg.	1035 North Second street.
199.	Martin, Torance, or Terrence.	902 North Third street.
200.	Carey, Jno.	601 Franklin street.
201.	Wright, Patrick	923 Collins street.
202.	Jefferson, Thos.	417 Morgan street.
203.	Morris, Edw.	417 Morgan street.
204.	Terry, Foy	601 Franklin street.
205.	Quinn, Harry	417 Morgan street.
206.	Morris, W. S.	601 Franklin street.
207.	Walsh, Richard	930 North Sixth street.
208.	Down, J.	417 Morgan street.
209.	Kent, Frank	601 Franklin avenue.
210.	Maning, Jas.	923 Collins street.
211.	McCarthy, Jno.	1000 North Third, or 1023 North Third.
212.	Johnson, Jos.	417 Morgan street.
213.	Walters, J. H.	912½ North Sixth street.
214.	Haley, Jno.	601 Franklin street.
215.	Sweeney, Jas.	615 Franklin street.
216.	Pabst, Otto.	625 Franklin street.
217.	Wigeman, Frank	1000 North Third street, or 1033 Collins.
218.	Adams, Jno.	921 Collins street.
219.	Walsh, Jno.	930 North Sixth street.
220.	Shay, Frank	601 Franklin street.
221.	Brady, Wm., or Frank Brady	601 Franklin street.
222.	Reynolds, H.	935 North Broadway.
223.	Rice, D.	933 North Broadway.
224.	Myres, Henry	514 Wash, or 601 Franklin street.
225.	Case, Jno.	601 Franklin street.
226.	Jones, Thos.	514½ Wash street.
227.	Winters, Geo.	514 Wash street.
228.	Hale, Herman	514 Franklin street.
229.	Howard, Jas.	214 Franklin street.
230.	Price, Fred, or Ed.	900 North Broadway.
231.	Shay, Walter.	700 North Third street.
232.	McGaurre, Felix	701 North Levee.
233.	Simmons, Mat	701 North Levee, 1004 North Levee.
234.	Shay, Morris.	1026 Collins street.
235.	Handy, Jno.	417 Morgan street.
236.	McEllese, Wm.	701 North Levee.
237.	Durkin, Jno.	417 Morgan street.
238.	Smith, Patrick	1026 Collins street.
239.	Haley, P. J.	700 North Third street.
240.	McSweeney, Ed.	1019 North Second street.
241.	Fritch, Fred	1035 North Second street.
242.	Day, Harry	923 Collins street.

PRECINCT 2, WARD 4—Continued.

Number.	Name.	Address.
243.	Warner, Geo.	1026 Collins.
244.	O'Connell, Morgan, or McHale, Peter.	909 North Sixth (other book no address).
245.	Owens, L., or McHale, Peter	945 Collins street (address on other book scratched out).
246.	Lacey, Patrick.	1013 Collins.
247.	McHale, Patrick.	945 Collins street.
248.	Cannon, A.	700 North Third street.
249.	Evans, Frank.	930 North Broadway.
250.	Mhan, or Moher, Jno.	418 Wash street.
251.	McCormick (initial D. in one book)	601 Franklin street.
252.	Molin, Jos., or Jno.	1019 North Second street.
253.	Cappel, Amos.	927 North Seventh street.
254.	Day, Jno.	1026 Collins street.
255.	Meckel, Edw.	601 Franklin avenue.
256.	Dunn, Wm.	601 Franklin avenue.
257.	Carney, Jno.	419 Morgan street.
258.	Jones, Edw.	1019 North Second street.
259.	Hill, David.	615 Franklin street.
260.	Evans, Jno.	900 North Broadway.
261.	Leach, Geo.	600 North Levee.
262.	Harris, G. W.	601 Franklin.
263.	Hayes, Richard.	1000 North Third street.
264.	Myers, Wm.	1017 North Second street.
265.	Egan, Martin.	1011 Collins street.
266.	Hogan, Jno.	1011 Collins street.
267.	Zelle, Frank.	508 Wash street.
268.	Smith, Frank.	700 North Third street.
269.	O'Hara, Patrick.	933 North Broadway.
270.	Sculley, Patrick.	920 Collins street.
271.	O'Brine, P.	933 North Broadway.
272.	Murphy, Jas.	923 Collins street.
273.	Miles, Frank.	700 North Third street.
274.	Wall, Jos.	601 Franklin.
275.	Leroy, Jos., or W. H.	1011 Collins street.
276.	Infeld, Jno.	508 Wash street.
277.	Clancey, Patrick.	601 Franklin street.
278.	Murphy, Edw.	516 Wash street.
279.	Caplin, J.	620 North Seventh street.
280.	Doneley, Jno.	601 Franklin.
281.	McCoy, Geo.	601 Franklin.
282.	Anderson, D.	601 Franklin avenue.
283.	Myer, Jno.	1035 North Second street (or 1015 Collins street).
284.	Collins, Jno.	900 North First street.
285B.	Bell, Frank.	417 Morgan street.
286.	Honey, or Haney, Thos.	601 Franklin avenue.
287.	Davis, Jos.	214 Franklin avenue.
288.	Dolan, Louis.	900 North Broadway.
289.	Allholl, Jos.	215 Franklin avenue.
290.	Thompson, Chas.	214 Franklin avenue.
291.	Zelle, Edw.	508 Wash street.
292.	Reevers, Edw.	700 North Third street.
293.	Illy, Wm.	508 Wash street.
294.	Larson, H.	214 Franklin avenue.
295.	Johns, Edw.	1011 Collins street.
296.	Dalton, Frank.	214 Franklin avenue.
297.	Wright, Jas.	1011 Collins.
298.	Logan, Richard, or Dalton, Richard.	214 Franklin avenue.
299N.	Norton, Edw.	419 Morgan street.
300.	Kelley, Frank.	601 Franklin avenue.
301.	Johnson, Jno.	601 Franklin avenue.
302.	Kelley, Thos.	945 Collins street.
303.	Conley, Mark.	1013 Collins street.
304.	Moran, Frank.	601 Franklin or 621 Franklin.
305.	Clark, Frank.	417 or 412 Morgan street.
306.	Dean, Wm.	1026 Collins street.
307.	Crane, Michael.	923 Collins street.
308.	Grant, Robt.	601 Franklin avenue.
309.	Kane, Peter.	310 Franklin avenue.
310.	Kersick, Jno.	1017 North Second street.
311.	Coblentz, B. C. or Geo.	935 North Broadway or 933 Broadway.
312.	Harrington, Geo.	700 North Third street.
313.	Boyle, Niel, or Boyd, Neil.	935 North Broadway.
314.	Meling, Chas.	1026 Collins street.
315.	Owens, J. P.	921 Collins street.
316.	Davis, Jno.	931 North Broadway; 938 North Broadway.
317.	McGillenddy, Jno.	501 Franklin.
318.	Wyand, Fred.	700 North Third street.
319.	Murphy, Edw.	1026 Collins street.
320.	Kinney, Mike.	1012 Collins street.
321.	Fritch, Conrad.	1035 North Second street.
322.	Jamson, Philip.	1013 Collins street.
323.	Graves, Wm.	514 Wash street.

PRECINCT 2, WARD 4—Continued.

Number.	Name.	Address.
324.	Sloan, Wm	514 Wash street.
325.	Kinney, Bernard	1012 Collins street.
326.	Burke, S. M	601 North Levee.
327.	Burke, Patrick	601 North Levee.
328.	Mead, Austin	1038 North Third street.
329.	Doran, Jas. F	932 North Sixth street.
330.	Lewis, Jos	1013 Collins street.
331.	Afton, Frank	214 Franklin avenue.
332.	Russell, Jos	601 Franklin avenue.
333.	Rodrick, Wm	514½ Wash street.
334.	Cosgrove, Jas	700 North Third street.
335.	Smith, Jas	700 North Third street.
336.	White, Geo	514½ Wash street.
337.	Smith, Albert	601 Franklin avenue.
338.	Simpson, A. B	601 Franklin avenue.
339.	Crowley, Frank	1017 North Second street (one book Collins).
340.	Grant, Jno.	930 North Broadway.
341.	Walsh, Thos	601 Franklin avenue.
342.	McQuivey, Edw	700 North Third street.
343.	Miley, Jos	1019 North Second street.
344.	Hayes, Jno	1038 North Third street.
345.	Dooley, Wm	930 North Broadway.
346.	Smith, Thos	930 North Sixth street.
347.	Wand, Geo	419 Morgan street.
348.	Powers, Jas	930 North Broadway.
349.	Snyder, F	1026 Collins street.
350.	Infeld, M	508 Wash street.
351.	Gelly, Edw	601 Franklin avenue.
352.	Zelley, Geo	508 Wash street.
353.	Kelley, Jos. P	904 North Broadway.
354.	Kelley, Jno	904 North Broadway.
355.	O'Brine, Michael	1026 Collins street.
356.	Hagerty, J. E., sr	941 Collins street.
357.	Gardner, Jno.	1012 Collins street.
358.	Vance, Jno	514 Wash street.
359.	Menges, Jno	952 North Third street.
360.	Doyle, Douglas	419 Morgan street.
361.	Hall, Jno	930 North Broadway.
362.	Johns, Wm	1017 North Second street.
363.	Morris, Jas	417 Morgan street.
364.	Malone, Jno	417 Morgan street.
365.	Welsh, Jos	912½ North Sixth street.
366.	Walsh, Jno	419 Morgan street.
367.	Mullin, Ed	417 Morgan street.
368.	Baker, Albert	700 North Third street.
369.	Coffer, Jno	601 Franklin.
370.	Lindley, Chas. or Jno	930 North Sixth street.
371.	Wetzell, Edw	419 Morgan street.
372.	Burke, Edw	930 North Broadway.
373.	Hughes, Martin	1014 Collins.
374.	Connors, Jas	601 Franklin.
375.	Green, Wm	900 North Broadway.
376.	Cole, Frank	601 Franklin avenue.
377.	Isley, Myer	510 Wash street.
378.	Kegan, Thos	1035 North Second street.
379.	Isley, Ed	510 Wash street.
380.	Grady, H. W	1012 Collins street.
381.	Weiss, Henry	601 Franklin avenue.
382.	Palimasno, Jos	932 North Second street.
383.	Bald, Jas	417 Morgan street.
384.	Laker or Lacey, Louis	214 Franklin avenue.
385.	Wright, E	923 Collins street.
386.	Rohan, P	900 North Broadway.
387.	Neffe or Nesse, P	419 Morgan street.
388.	Tearney, Jos	900 North Broadway.
389.	Smith, August	900 North Third street.
390.	Slater, E. D	923 Collins street.
391.	Nolan, Jas	601 Franklin avenue.
392.	Hughes, Thos	
393.	Collins, Thos	930 North Sixth street.
394.	Laforge, Frank	214 Franklin avenue.
395.	Curley, Jno	930 North Sixth street.
396.	Wilson, Jno	700 North Third.
397.	Arge, August	900 North Broadway.
398.	Walsh, Richard, jr	925 Collins street.
399.	Boehm, Jos	601 Franklin avenue.
400.	Toy or Coy, Robt	1035 North Second street.
401.	Foley, Thos	214 Franklin avenue.
402.	Gray, Frank	930 North Broadway.
403.	Edwards, W	417 Morgan street.
404.	Willis, Edw	1035 North Second street.
405.	Joseph, Chas	1013 Collins.
406.	Ward, Martin	601 Franklin street.
407.	Boris, Thos	508 Wash street.

PRECINCT 2, WARD 4—Continued.

Number.	Name.	Address.
408	Hug, Harry	1026 Collins street.
409	Dolan, Patrick	930 North Sixth street.
410	Thomas, J. H.	702 North Levee.
411	Rolf, Jos	1017 North Second street.
412	Hart, David	702 North Levee.
413	Tierney, Jas.	919 Collins street.
414	Hall, Frank	700 or 720 North Third street.
415	Schults, Benj	908 North Broadway.
416	Tord, or Ford, Jno.	1038 North Third street.
417	Flaherty, M.	923 North Sixth street.
418	Palmer, Edw.	930 North Broadway.
419	Murreo, W. H.	930 North Sixth street.
420	Doyle, W. J.	941 Collins street.
421	Smith, Frank	1026 Collins street.
422	Harris, Thos	1011 or 918 Collins street.
423	Rodgers, Jos	1017 North Second street (one book Collins).
421	Thorney, Walter	930 North Broadway.
425	Corleton, C. F.	417 Market street.
426	Johnson, Jas	1013 Collins street.
427	Pamisono, Frank	615 Franklin street.
428	Catoilo, G.	935 North Sixth street.
429	Bauer, Louis	1026 Collins street.
430	Burton, August	1026 Collins street.
431	Johnson, Jno.	930 Broadway.
432	Lane, Thos	601 Franklin.
433	Kane, Jno.	1011 Collins street.
434	Perin, Jno.	900 North First street.
435	Davis, Ben	700 North Levee.
436	Collins, Thos	930 North Broadway.
437	Moll, Henry	1035 North Second street.
438	Cahil, Danl	1017 North Second street.
439	Barny, J. J.	1026 Collins.
440	Adam, Edw	923 Collins.
441	Martin, Ben	1038 North Third street or 1017 Collins.
442	Graham, Jno.	601 Franklin avenue.
443	Collins, Jno	923 Collins street.
444	Martin, Frank	601 Franklin.
445	Shea, Wm	900 North Main street.
446	Clapp, Frank.	417 Morgan street.
447	Hall, Frank	923 Collins street.
448	Lawton, Jno	900 North Broadway.
449	Martin, Jos.	912½ North Sixth street (one book Broadway).
450	Friday, Geo	933 North Broadway (one book 923).
451	Evans, Frank	601 Franklin avenue.
452	Moore, Frank	601 Franklin avenue.
453	Sweeney, Jno	1026 Collins.
454	Kelley, T.	1038 North Third street.
455	Blank, H.	903 North Sixth street.
456	Lundt, Kurt	1011 Collins street.
457	Cronin, T.	919 North Sixth street.
458	Thompson, Wm	601 Franklin avenue.
459	Keegan, Michael	1012 or 1017 Collins street.
460	Crane, Pat.	923 Collins street.
461	Jackson, Robt	60 Lucas.
462	Maloney, Geo. E.	1035 North second street.
463	Keuhler, or Kuchler, Wm	1010 Collins street.
464	Quinn, J. W	601 Franklin avenue.
465	Dunn, Martin	1038 North Third street.
466	Collins, Jno	923 Collins street or 1023 Collins.
467	Adler, Louis, or Adler, Jos.	935 North Broadway.
468	Alt, F. C.	415 Morgan street.
469	Atwood, Frank	935 North Broadway.
470	Brown, Frank.	615 Franklin avenue.
471	Gray, Jos	1019 North second street.
472	Welch, Thos.	601 Franklin avenue.
473	Lyons, Stephen.	936 North Sixth or 700 North Third street.
474	Patner, Chas	700 North Third street.
475	Louday, C. H. or Peter	417 Morgan street.
476	Manning, Jos. F. or Manion	900 North First street.
477	Coleman, Jno	1017 North Second street.
478	Gordon, Chas.	1025 Collins street.
479	Hill, Ed	910 North Sixth (one book North Seventh street).
480	Browing, F. W	700 North Third street.
481	Mack, Jno.	1011 Collins street or 1023 Collins.
482	Hillis, Frank.	601 Franklin avenue.
483	Mullen, Geo.	601 Franklin avenue.
484	Martin, Wm	514 Wash street.
485	Myers, Jno	601 Franklin avenue.
486	Morris, Jas	417 Morgan street.
487	Cleary, Jno	1038 North Third street.
488	Simon, Frank	417 Morgan street.

Q. Will you read the result of the votes cast for the several candidates for Congress in the second precinct of the Fourth Ward for the short term at the election held November 4, 1902, as shown by the certificate of the judges and clerks of said precinct 2, Ward 4, in the poll book from which you have just testified?—A. James J. Butler, 471; Geo. C. Wagoner, 17. In the other poll book, Jas. J. Butler, 471; Geo. D. Reynolds, 17.

I hereby adjourn the further taking of testimony at 8.35 p. m. until Tuesday, December 30, 9 a. m., to be continued at the same place.

We will now resume the taking of testimony 9.30, December 30, in pursuance of adjournment.

THIRD PRECINCT, FOURTH WARD.

Number.	Name.	Address.
1.	Geo. Foulke	105 North Broadway.
2.	Chas. Kerger	623 Chestnut street.
3.	P. F. Meyers	508 North Sixth street.
4.	Chas. Summers	514 Pine street.
5.	A. C. Howard	Laclede Hotel.
6.	Jos. K. Parker	112 North Sixth or Globe Hotel.
7.	S. P. Schultz	515 St. Charles.
8.	Miles Farrer	209½ North Sixth street.
9.	P. C. Coffee	112 North Sixth street.
10.	Julius Moershel	Court-house.
11.	Harry Walker	Barnum Hotel.
12.	Kelley Carpenter	511 Pine street.
13.	John A. Sheridan	705 North Sixth street.
14.	Thos. A. Price	623 Chestnut street.
15.	Chas. Gorman	Silver House.
16.	John Murphy	619 Market street.
17.	John Hyland	713 North Sixth street.
18.	J. W. Davis	209 North Sixth street.
19.	C. W. Baker	112 North Sixth street.
20.	H. Clendenning	803 Pine street.
21.	Chas. T. Vine	Imperial Hotel.
22.	Wm. M. Whiteside	109 North Sixth street.
23.	Chas. Horning	510 North Sixth street.
24.	Robt. Quain	Court-house.
25.	O. F. Sessinghaus	Lindell Hotel.
26.	Louis J. Hammel	109 North Sixth street.
27.	R. W. Pavey	Imperial Hotel.
28.	E. McGinnis	Laclede Hotel.
29.	Robt. Lyle	508 North Sixth street.
30.	B. J. Riley	107 North Broadway.
31.	Jos. L. Griswold	Laclede Hotel.
32.	Thos. Prichard	Laclede Hotel.
33.	John Fay	Junior Hotel.
34.	Chas. E. Reese	Lindell Hotel.
35.	Philo W. Smith	209 North Sixth street.
36.	P. W. Smith, jr.	209 North Sixth street.
37.	Wm. Dodd, or Dodd	319 North Broadway.
38.	W. E. McGrath	511 Pine street.
39.	John G. Owings, or Jno. R.	Laclede Hotel.
40.	Geo. W. Menefee	Laclede Hotel.
41.	W. C. Hinton	109 North Sixth street.
42.	Geo. H. Bender	Hotel Barnum.
43.	E. C. Eransick	Planters Hotel.
44.	Jno. Lyons	Lindell Hotel.
45.	A. F. Schriener	Lindell Hotel.
46.	Jno. J. Lahive	519 Market street.
47.	Thos. Rodgers	Globe Hotel, or 109 North Sixth street.
48.	Aug. Neese, or Neece	623 Pine street.
49.	Walter B. Hill	112 North Sixth street.
50.	W. Morgan	709 North Sixth street.
51.	J. C. Holland	Lindell Hotel.
52.	Ed. Bryant	Planters Hotel.
53.	Jno. Hall	Globe Hotel.
54.	Ed. Gorton	625 Pine street.
55.	Jos. Neff	623 Pine street.
56.	Jno. O'Hare	Junior Hotel.
57.	Fred Muller	623 Pine street.
58.	Sam Lyons, or Lyons	623 Pine street.
59.	Jas. Barry, or Jas. L. Barry	609, 109 North Sixth street.
60.	Robt. S. Kennedy	623 Chestnut street.
61.	Ed. Newell	517 Chestnut street.
62.	Jos. Kelley	215 North Sixth street.
63.	Fred Grundmeyer	Junior Hotel.
64.	Frank Lewis	607 Market street.
65.	Jas. Marley, or Henry Hart	Pilgrim Hotel, or 112 North Sixth street.
66.	Henry Hart, or Chas. Gorman	112 North Sixth, or 410 North Sixth street.

THIRD PRECINCT, FOURTH WARD—Continued.

Number.	Name.	Address.
67.....	Henry Gorman, or Simon Max.....	Silver House, Pilgrim Hotel.
68.....	Simon Max.....	Pilgrim Hotel (comes under No. 67 in other book).
69.....	W. C. Wilson, or J. C.....	619 Market street.
70.....	M. C. Whetmore.....	Planters Hotel.
71.....	W. Voris.....	514 Pine street.
72.....	Walter Miller.....	Alma Hotel.
73.....	Wm. Baldwin.....	410 North Seventh street.
74.....	Phil Daneaher.....	Laclede Hotel.
75.....	Frank Daley.....	Globe Hotel.
76.....	Jno. Shea.....	619 Market street.
77.....	Geo. Nolan.....	626 Morgan street.
78.....	W. F. Chase.....	410 North Seventh street.
79.....	Frank Borchers.....	611 Market street.
80.....	L. H. Houghton.....	623 Pine street.
81.....	Robt. N. Cornan.....	510 Lucas avenue.
82.....	Patriek Sheedy.....	606 Washington avenue.
83.....	Louis Frieman.....	Hotel Barnum, or 510 North Sixth street.
84.....	Thos. Kane.....	619 Market street.
85.....	Carl Burge, or Bonge.....	620 Morgan street.
86.....	Ed. W. Tweehouse.....	621 Market street.
87.....	A. Cicardo.....	626 Morgan street.
88.....	John B. Dolan.....	410 North Seventh street.
89.....	Thos. Y. Reynolds.....	105 North Broadway.
90.....	Joe Michael.....	511 Pine street.
91.....	Jno. F. McNamara.....	206 North Sixth street.
92.....	F. W. Drehr.....	623 Chestnut street.
93.....	C. H. Batile.....	Laclede Hotel.
94.....	W. B. Jones.....	Imperial Hotel.
95.....	C. F. Pannell.....	Lindell Hotel.
96.....	Suas. Alfeld.....	525 Market street.
97.....	Chas. McQuade.....	525 Market st.
98.....	Wm. A. Hoce.....	113 North Sixth street.
99.....	Jas. Logan.....	Silver House.
100.....	Wm. Foster.....	626 Morgan street.
101.....	Pat. O'Donell.....	525 Market street.
102.....	Henry Reiter.....	525 Market street.
103.....	Jno. McQuade.....	525 Market street.
104.....	Jos. W. Gwins.....	Lindell Hotel.
105.....	Jos. B. Gwins.....	Lindell Hotel.
106.....	Jno. Kelley.....	619 Market street.
107.....	Jno. M. McGann.....	514 Pine street.
108.....	Chas. Delbridge.....	517½ Chestnut street.
109.....	J. J. Doolan.....	Planters Hotel.
110.....	W. S. Sipple.....	107 North Broadway, or 105 same.
111.....	C. F. Hurd.....	Imperial Hotel.
112.....	W. H. McIntyre.....	418 Lucas avenue.
113.....	F. F. Espenscheid.....	Imperial Hotel.
114.....	Thos. P. Morse.....	Mona House.
115.....	Geo. Wehl.....	620 Morgan street.
116.....	Jno. Golden.....	Junior Hotel, or 709 North Sixth street.
117.....	Jno. Green.....	Globe Hotel.
118.....	Richard Logan.....	Silver House.
119.....	Laurence Ring.....	109 North Sixth street.
120.....	Thos. M. Eenest.....	Imperial Hotel.
121.....	Chas. A. Hollingsworth.....	Princeton Hotel.
122.....	E. Johns.....	626 Morgan street.
123.....	Adam Funk.....	Princeton Hotel.
124.....	Frank Walker.....	622 Locust street.
125.....	Jos. McAnliffe, or Jno.....	Alma Hotel.
126.....	H. J. Fox.....	Imperial Hotel.
127.....	Jos. Murphy.....	112 North Sixth street.
128.....	Chas. Houtz.....	619 Market street.
129.....	Chas. Linton.....	Silver Hotel.
130.....	Jno. Parent.....	Alma Hotel.
131.....	Adam Larson.....	Silver House.
132.....	Frank Boland.....	Globe Hotel.
133.....	Frank Devine.....	Globe Hotel.
134.....	Jas. Fenton.....	607 Market street.
135.....	Ed. M. Fitzgerald.....	Lindell Hotel.
136.....	R. H. Tyler.....	109 North Sixth street.
137.....	Jas. Horan.....	517½ Chestnut street.
138.....	P. A. Smith.....	517½ Chestnut street.
139.....	J. W. Galvin.....	109 North Sixth street.
140.....	Jno. Lefer.....	601 Market street.
141.....	Jos. Brand.....	625 Chestnut street.
142.....	C. W. Baker.....	625 Chestnut street.
143.....	J. L. David.....	625 Chestnut street.
144.....	Thos. Malone.....	601 Market street.
145.....	Jas. Loftus.....	601 Market street.
146.....	G. W. Carlisle.....	625 Chestnut street, or 623 same.
147.....	C. H. Kerger.....	623 Chestnut street.

THIRD PRECINCT, FOURTH WARD—Continued.

Number.	Name.	Address.
148.	Louis Price	512 Chestnut street.
149.	Thos. Williams	619 Market street.
150.	Chas. Glave	Center House.
151.	Robt. Grant	523 Market street.
152.	A. J. Thompson	512 Chestnut street, or Imperial Hotel.
153.	W. E. Brown	623 Chestnut street.
154.	Robt. Lohrer	117 North Sixth street.
155.	Wm. C. Galloway	Barnum Hotel.
156.	Wm. Hogan	Imperial Hotel.
157.	Peter Tinery (Tierney)	523 Market street.
158.	Robt. Woodson	623 Chestnut street.
159.	Jas. Allen	623 Chestnut street.
160.	Chas. E. Renard	715 North Sixth street.
161.	Ernest A. Cordell	623 Pine street.
162.	Andrew Geron, or Gerow	715 North Sixth street.
163.	Owen Carvill	715 North Sixth street.
164.	Wm. Vogel	623 Chestnut street.
165.	Tim Haley	715 North Sixth street.
166.	Jas. Mangan	626 Morgan street.
167.	Jas. Ball	619 Market street.
168.	Peter Mullen	Globe Hotel.
169.	T. E. McDermott	616 Pine street.
170.	Sam J. Gibson	410 North Seventh street.
171.	J. W. Pierce	Imperial Hotel.
172.	J. B. Hibbard	410 North Seventh street.
173.	Jno. C. Porter	Laclede Hotel.
174.	H. G. Miller	623 Chestnut street.
175.	A. B. Carter	Barnum Hotel.
176.	Martin Shaunessey	Lindell Hotel.
177.	H. W. Harris	622 Locust street.
178.	Ed. Murphy	512 Chestnut street.
179.	Chas. McGee	619 Market street.
180.	Geo. Kamp	Globe Hotel.
181.	Louis Foley	No address given.
182.	Jno. Barrett	112 North Sixth street.
183.	Lewis Boland	616 Pine street.
184.	Jos. Lalley, other book	Silver House, other book
185.	Jno. Judd, other book	Globe Hotel, other book
186.	Harry Lewis, other book	Seventh street.
187.	Thos. Adams, other book	410 North Seventh street, other book
188.	Jas. Adams, other book	Planters Hotel.
189.	Thos. Lyon	Planters Hotel, other book
190.	Jno. Shea	619 Market street.
191.	Frank Lawrence	Silver House.
192.	Frank McCarthy	Globe Hotel.
193.	Frank Hatfield	Globe Hotel.
194.	Thos. Uttinger	620 Pine street.
195.	Wm. Lucas	410 North Seventh street.
196.	Robt. Walker	Hotel Barnum.
197.	Thos. Allen	619 Market street.
198.	Jas. Rengan, or Ryan	110 North Broadway.
199.	Jno. Moran	619 Market street.
200.	Jos. Tattum, or Patton	Globe Hotel.
201.	Ed. Ferris	Junior Hotel.
202.	Thos. Ryan	619 Market street.
203.	Wm. Hurdlebring, or Hurdlebring	109 North Sixth street.
204.	Jas. Dotherty	619 Market street.
205.	Frank Garnett, or Jas.	619 Market street.
206.	T. James	619 Market street.
207.	Pat Nulty	Planters Hotel.
208.	Jas. Daley	619 Market street.
209.	Mike Lee	619 Market street.
210.	Frank Herman	619 Market street.
211.	Jas. E. Downey	616 Pine street.
212.	Wm. Cole	Alma Hotel.
213.	Wm. Ferguson	Globe Hotel.
214.	August Freese	112 North Sixth street.
215.	Mike Kane, or Wm. Kane	215 North Sixth street.
216.	Jeff Afton	Globe Hotel.
217.	Jno. Neil, or Nail	Globe Hotel.
218.	Chas. B. McKinney	619 Market street.
219.	Jno. Barnett	Alma Hotel.
220.	Frank Davis	Alma Hotel.
221.	Jno. Powell	Junior Hotel.
222.	Jas. Cornell	Alma Hotel.
223.	Thos. Heffneran	117 North Seventh street, or 410 North
224.	Thos. Ivy	Seventh street.
225.	J. J. Sweeney	Planters Hotel.
226.	Ed. Rice	623 Chestnut street.
		112 North Sixth street.

THIRD PRECINCT, FOURTH WARD—Continued.

Number.	Name.	Address.
227.....	Fred Smith.....	Imperial Hotel.
228.....	Frank Kevis.....	410 North Seventh street.
229.....	Mike Doyle.....	601 Market street.
230.....	Chas. Grotton.....	Planters Hotel.
231.....	Mike Murphy.....	Imperial Hotel.
232.....	Lawrence Phillips.....	112 North Sixth street.
233.....	Thos. Hamon, or Hamon.....	112 North Sixth street.
234.....	Alonzo Phillips.....	607 Market street.
235.....	Geo. Heasley.....	601 Market street.
236.....	Jno. Armstrong.....	Globe Hotel.
237.....	Thos. Morris, or Jno. Henry.....	Silver House, or Alma Hotel.
238.....	Jno. Henry, or Thos. Ryan.....	Alma Hotel, or 601 Morgan street.
239.....	Thos. Ryan, or Chas. Morgan.....	601 Market street, or Imperial Hotel.
240.....	Chas. Morgan, or Robt. Williams.....	Imperial Hotel.
241.....	Robt. Williams, or Thos. King.....	Imperial Hotel, or Princeton Hotel.
242.....	Thos. King, or Jim Madden.....	Princeton Hotel, or Globe Hotel.
243.....	Jas. Madden, or Jno. Kelley.....	Globe Hotel.
244.....	Jno. Kelley, or Jno. Logan.....	Globe Hotel, or Princeton Hotel.
245.....	Jno. Logan, or Thos. Morris.....	Princeton Hotel, or Silver House.
246.....	Jno. Moore.....	Alma Hotel.
247.....	Joe Good.....	Alma Hotel.
248.....	Henry Mueller.....	Center House.
249.....	Wm. Hagen.....	Imperial Hotel.
250.....	J. M. Friedman.....	Imperial Hotel.
251.....	Olof Jounson.....	510 Lucas avenue.
252.....	Edward, or Edw. Jones.....	601 Market street.
253.....	R. Peary, or Peavy.....	Imperial Hotel.
254.....	Thos. Finam.....	512 Chestnut street.
255.....	Geo. Bryant.....	601 Market street.
256.....	Fred Burton.....	523 Market street.
257.....	Jesse Carraher.....	619 Market street.
258.....	Rogger Comer, or Conner.....	512 Chestnut street.
259.....	Thos. Hogan.....	Imperial Hotel.
260.....	Jos. Burns.....	623 Pine street.
261.....	Dennis Thompson.....	112 North Seventh street.
262.....	Thos. Walsh.....	Imperial Hotel.
263.....	W. Adler.....	Imperial Hotel.
264.....	J. Alden.....	523 Market street.
265.....	Wm. Schaffer.....	623 Chestnut street.
266.....	Walter Delaney.....	109 North Sixth street.
267.....	Martin Moore.....	Hotel Junior.
268.....	Wm. West.....	512 Chestnut street.
269.....	C. S. Hamm.....	522 Pine street.
270.....	Geo. Roberts.....	Imperial Hotel.
271.....	Calvin McFall.....	623 Chestnut street.
272.....	Martin Thornton.....	601 Market street.
273.....	M. Quinn.....	Lindell Hotel.
274.....	Thos. Franklin.....	523 Market street.
275.....	C. R. Hutchinson.....	623 Chestnut street.
276.....	Jno. E. Meyer.....	Princeton Hotel.
277.....	Jas. Hogan.....	601 Market street.
278.....	J. M. Thompson.....	628 Morgan street.

By Mr. KINZIE:

Q. Will you now read from the certificate of the judges and clerks contained on this poll book the result of the election in said precinct and ward for the candidates for Congress for the short term?—A. James J. Butler received 215 votes. Geo. C. R. Wagoner received 43 votes.

Q. How many judges signed this certificate?—A. Three judges.

Q. How many clerks signed this certificate?—A. One clerk.

Q. Will you now take the poll book used in precinct 4, Ward 4, and in like manner proceed to give the number, name, and residence of voters, as recorded in that book?

PRECINCT 4, WARD 4.

Number.	Name.	Address.
1.....	Wm. Sloan.....	714 Wash street.
2.....	J. H. Sunder.....	920 North Ninth street.
3.....	B. Wellenman.....	805 North Seventh street.
4.....	J. Morgan.....	611 Morgan street.
5.....	Oscar J. Bell.....	910 Wash street.
6.....	J. Faust.....	910 Wash street.
7.....	Jas. Band, or Banks.....	611 Morgan street.
8.....	Thos. Taaffe.....	302 North Seventh street.

PRECINCT 4, WARD 4—Continued.

Number.	Name.	Address.
9.	Jno. Miles	609 Morgan street.
10.	Louis Zolozzi	802 North Seventh street.
11.	A. W. Robinson	912 North Tenth street.
12.	Chas. Scott	607 Market street.
13.	Thos. Butler	607 Morgan street.
14.	Jno. Lyon	607 Morgan street.
15.	A. Schrick	912 Wash street.
16.	Jacob Cohen	822 Wash street.
17.	Jno. Montered, or Monteverde	930 North Eighth street.
18.	Bernard Fury	619 Morgan street.
19.	Jacob Turil	814 North Ninth street.
20.	Jno. Duey	916 North Eighth street.
21.	Eberhart Beyers Borffer	914 North Eighth street.
22.	Sam'l Ludmer	827 Morgan street.
23.	Jas. Mulaney	715 Franklin avenue.
24.	Conrad Hester, or Cornelius Wester	817 Franklin avenue, or 715 same.
25.	Jno. Roan	819 Morgan street.
26.	Jas. J. Fury	619 Morgan street.
27.	Thos. F. Fury	619 Morgan street.
28.	Mark Mastin	818 Franklin avenue.
29.	Elmer Moran	302 North Seventh street.
30.	A. P. Hughes	819 Morgan street.
31.	M. Schneider	807 North Seventh street.
32.	Jacob Goldman	705 Morgan street.
33.	Benjamin Whitaker	801 North Sixth street.
34.	Mike Hogan	612 Franklin avenue.
35.	Thomas Hannigan	612 Franklin avenue.
36.	John Leonard	715 Franklin avenue.
37.	John McCarthy	612 Franklin avenue.
38.	William Fox	715 Franklin avenue.
39.	John King	612 Franklin avenue.
40.	Fred Wanglin	920 North Ninth street.
41.	James McDermott	715 Franklin avenue.
42.	John Kane	715 Franklin avenue.
43.	John Ralph	920 North Ninth street.
44.	Jonas Rozonsty	714 Marsh street.
45.	Thomas F. Moore	801 North Sixth street.
46.	Bernard Anterhaus	823 North Sixth street.
47.	Will Morgan	823 North Sixth street.
48.	Samuel Schwartzberg	806 North Ninth street.
49.	Frank Dunn, or Humm	823 North Sixth street.
50.	August Spengler	920 North Ninth street.
51.	A. Cella	909 Morgan street.
52.	Joseph Sacks	809 North Seventh street.
53.	J. W. Latty	814 North Seventh street.
54.	Emil Meyer	919 Franklin avenue.
55.	Ed. Cosgrove	922 North Ninth street.
56.	John Martin	823 North Sixth street.
57.	Morris Caplan	711 Morgan street.
58.	William West	823 North Sixth street.
59.	John Donnelly, or Dolleny	715 Franklin avenue.
60.	Jeff Hardner	802 North Seventh street.
61.	Sam'l Catazaro	918 North Eighth street.
62.	Dan'l Shea	715 Franklin avenue.
63.	Jacob Grushkin	709 Morgan street.
64.	Giureiola Vincent	818 North Ninth street.
65.	Oscar McCord	823 North Sixth street.
66.	Peter Schneiderman	805 North Ninth street.
67.	Herman Harwitz	932 North Tenth street.
68.	Fred Weissman	916 North Tenth street.
69.	Harry Emerson	823 North Sixth street.
70.	Isaac Arenstein	806 Franklin avenue.
71.	Thos. Haley	823 North Sixth street, or 823 Franklin.
72.	Mike Kelley	919 North Ninth street.
73.	Chas. Shuman	817 North Seventh street.
74.	L. A. Dietrich	811 Franklin avenue.
75.	Nathan Reichtman	927 North Eighth street.
76.	Louis White	918 North Ninth street.
77.	Jno. P. Leist	619 Morgan street.
78.	Alexander Duffus	812 Franklin avenue, rear.
79.	Wm. Mack	823 North Sixth street.
80.	Wm. Moore	823 North Sixth street.
81.	Geo. A. Parks	823 North Sixth street.
82.	Joe Strin	715 Franklin avenue.
83.	Tony Pulinsino	921 North Eighth street.
84.	W. J. Thompson	822 Wash street.
85.	Jacob Bronstein	824 Wash street.
86.	R. E. Sampson	823 North Sixth street.
87.	Julius Goldwasser	707 Morgan street.
88.	Jno. Quigley	823 North Sixth street.
89.	Wm. Saefel	809 Morgan street.
90.	L. L. Freund	816 Franklin avenue.
91.	Jno. Mueller	805 North Seventh street.

PRECINCT 4, WARD 4—Continued.

Number.	Name.	Address.
92.....	Joe Turner.....	612 Franklin avenue.
93.....	Tony Candiato.....	911 North Ninth street.
94.....	Dan'l Collins.....	619 Morgan street.
95.....	Benj. Ludwick.....	615 Morgan street.
96.....	Geo. Allen.....	612 Franklin avenue.
97.....	Chas. Palmisno.....	710 Wash street.
98.....	Jno. Neal.....	823 North Sixth street.
99.....	Bernard Goetz.....	910 Wash street.
100.....	Frank Lapsesto.....	826 North Eighth street.
101.....	Matto Gangaro.....	816 North Eighth street.
102.....	Jno. Eramara.....	713 Morgan street.
103.....	Chearamante Sabartine.....	826 North Eighth street.
104.....	Pinchas Sulowitz.....	627 Morgan street.
105.....	Chas. Kirschbaum.....	821 North Eighth street.
106.....	Selig Adamsky.....	915 North Seventh street.
107.....	Jas. Clancey.....	807 North Seventh street.
108.....	Henry Miller.....	821 Franklin avenue.
109.....	Wm. Foster.....	822 North Sixth street.
110.....	Henry Miller.....	823 North Sixth street.
111.....	Thos. Healy.....	823 North Sixth street.
112.....	Jno. Gill.....	823 North Sixth street.
113.....	Jno. Hay.....	823 North Sixth street.
114.....	Antino Poretto, or Repetto.....	821 North Eighth street.
115.....	Jno. Lee.....	823 North Sixth street.
116.....	Alex. Gree, or Green.....	823 North Sixth street.
117.....	Thos. Finan.....	612 Morgan street.
118.....	Jno. B. Lampton.....	823 North Sixth street.
119.....	Jno. Halter, or Albert Halter.....	823 North Sixth street.
120.....	P. Murphy.....	823 North Sixth street.
121.....	Geo. Brooks.....	612 Franklin avenue.
122.....	Wm. Dobbin.....	823 North Sixth street.
123.....	Thos. Healy.....	823 North Sixth street.
124.....	Isidor Tamapolsky.....	809 North Seventh street.
125.....	M. G. Bollinger.....	923 Franklin avenue.
126.....	Adolph Woods.....	835 Franklin avenue.
127.....	Liborio Perany, or Perrone.....	821 North Eighth street.
128.....	Michael Tepman.....	707 Morgan street.
129.....	W. B. Garrison.....	817 North Sixth street.
130.....	Henry Seltzer.....	814 Wash street.
131.....	Walter Anderson.....	810 Franklin avenue.
132.....	Patrick Dunworth.....	809 North Seventh street.
133.....	Jno. Cahil.....	719 Morgan street.
134.....	Thos. Kane.....	823 North Sixth street.
135.....	Pat Burke.....	823 North Sixth street.
136.....	Jas. Bank.....	611 Morgan street.
137.....	Jos. Haney.....	823 North Sixth street.
138.....	Jno. Adams.....	823 North Sixth street.

The taking of testimony is now adjourned at 12.30, to be resumed at the same place at 2 p. m. December 30, 1902.

The taking of evidence will be resumed pursuant to adjournment at 2.17 p. m. December 30, 1902.

Number.	Name.	Address.
139.....	Aleck Combs.....	823 North Sixth street.
140.....	Henry Cramp.....	613 Morgan street.
141.....	Wm. Coffey, Coffey.....	823 North Sixth street.
142.....	Chas. Deen, or Dean.....	802 North Seventh street.
143.....	Edward Boyle.....	823 North Sixth street.
144.....	Pat Cune.....	611 Morgan street.
145.....	Jerry Cullen.....	823 North Sixth street.
146.....	Geo. Walters.....	823 North Sixth street.
147.....	Thos. Stoker, or Stokes.....	609 Morgan street.
148.....	John Clark.....	823 North Sixth street.
149.....	John Burns.....	823 North Sixth street.
150.....	Jas. Ball.....	823 North Sixth street.
151.....	Mike Smith.....	613 Morgan street.
152.....	Jas. McWilliams.....	801 North Sixth street.
153.....	Jas. Howe.....	802 North Seventh street.
154.....	Geo. Bryant, or Bryant.....	823 North Sixth street.
155.....	Wm. Brunes.....	611 Morgan street.
156.....	Thos. Haley.....	801 North Sixth street.
157.....	Mike Kehoe.....	612 Morgan street.
158.....	Thos. Morris.....	609 Morgan street.
159.....	Frank Ern.....	802 North Seventh street.
160.....	Jos. Heffer.....	801 Morgan street, or 801 North Sixth.
161.....	Chas. Rice.....	613 Morgan street.

PRECINCT 4, WARD 4—Continued.

Number.	Name.	Address.
162.	Jno. Dourethy, Dr. Dardy	801 North Sixth street.
163.	Jno. Hanley	823 North Sixth street.
164.	Patrick Haley	801 North Sixth street.
165.	Henry or Patrick Trents	613 Morgan street.
166.	Jno. Kane	715 Franklin avenue.
167.	Jno. Clark	823 North Sixth street.
168.	Jno. Cullen	801 North Sixth street.
169.	Chas. Daley	611 Morgan street.
170.	Jos. Stein	607 Morgan street.
171.	Louis Hoffman	912 North Tenth street.
172.	Jno. Miles	609 Morgan street.
173.	Wm. Baker	823 North Sixth street.
174.	Jas. Hughes	801 North Sixth street.
175.	Thos. Fox	802 North Seventh street.
176.	Jas. Clark	801 North Sixth street.
177.	Chas. Scott	607 Morgan street.
178.	Louis Mehl	823 North Sixth street.
179.	Geo. White	823 North Sixth street.
180.	Henry Grady	801 North Sixth street.
181.	Jno. Wilson	612 Franklin avenue.
182.	Thos. Simms	823 North Sixth street.
183.	Louis Lapresto	828 North Eighth street.
184.	Eugene Moore	808 North Eighth street.
185.	Wm. Hollahan	823 North Sixth street.
186.	Peter Carosby, or Crosby	801 North Sixth street.
187.	Jas. Day	823 North Sixth street.
188.	Thos. McGraw	801 North Sixth street.
189.	M. Tracy	801 North Sixth street.
190.	Tobias Shannon	801 North Sixth street.
191.	Jno. P. Adams	823 North Sixth street.
192.	Max Block	717 Wash street.
193.	Paul Hines	801 North Sixth street.
194.	Geo. Higgins, or Jas. Dorsey	801 North Sixth, or 823 North Sixth street.
195.	Jas. Dorsey, or Geo. Higgins	823 North Sixth, or 801 North Sixth street.
196.	Wm. Canty	801 North Sixth street.
197.	Wm. Schleiper	925 North Eighth street.
198.	John Ermama	713 Morgan street, rear.
199.	Jacob Oxendler	801 North Seventh street.
200.	Frank Willard	934 North Ninth street.
201.	Jas. Gamill	925 Franklin avenue.
202.	Ben. Solomon	615 Morgan street.
203.	Geo. King	801 Morgan street.
204.	Jno. Ryan	801 Morgan street.
205.	H. E. Silverstone	800 Franklin avenue.
206.	Geo. I. H. Powers	934 North Eighth street.
207.	E. Silverman	817 Franklin avenue.
208.	Percy D. Jones	821 Franklin avenue.
209.	Harry Krueger	910 Wash street.
210.	Louis Goldman	820 Wash street.
211.	Louis Feldman	826 Wash street.
212.	Morris Feinberg, or Geo. Feinberg	936 North Eighth street.
213.	Chas. B. Humann	922 North Ninth street.
214.	Paul Graves	805 North Seventh street.
215.	Emil Leivrich	810 Franklin avenue.
216.	Constantine Bonadi	807 North Eighth street.
217.	Theodore Paust	828 Wash street.
218.	Morris Beorberkowitz, or Beeketz	801 Morgan street.
219.	Aug. Meyer	919 North Sixth street.
220.	Robt. McCarthy	801 North Sixth street.
221.	Harry Brodsky	810 North Ninth street.
222.	J. F. Williams	812 North Ninth street.
223.	Simon Zuckermann	908 North Eighth street.
224.	Lewis, or Louis, Richardson	912 North Eighth street.
225.	David Ravitz	816 Wash street.
226.	Danl. Brodski	721 Morgan street.
227.	Abraham Palan	805 Morgan street.
228.	Lawrence Wheeler	823 North Sixth street.
229.	Jno. Barrett	619 Morgan street.
230.	Pat. Quinn	919 North Ninth street.
231.	Wheeler Anderson	810 Franklin avenue.
232.	Jno. T. Fox	802 North Second street.
233.	Jacob Zaitlen	623 Wash street.
234.	Fred. Horn	617 Morgan street.
235.	Herman Ginsburg	809 North Seventh street.
236.	Patrick Clark	916 North Tenth street.
237.	Jas. Mahoney	916 North Ninth street.
238.	Harris Inger	819 North Eighth street.
239.	Frank Bartolio	818 North Ninth street.
240.	Jno. K. Barnhauser	711 Wash street.
241.	Thos. Kilroy	619 Morgan street.
242.	E. F. Kelley	919 North Ninth street.

PRECINCT 4, WARD 4—Continued.

Number.	Name.	Address.
243.....	Chas. Baker.....	801 North Sixth street.
244.....	Domiano Cupano.....	923 North Eighth street.
245.....	W. M. Dulaney.....	817 North Sixth street.
246.....	Herman Wangelan.....	920 North Ninth street.
247.....	Michael Mercuria.....	813 North Eighth street.
248.....	Herman Schneider.....	901 Franklin avenue.
249.....	Edw. O'Rieley.....	919 North Ninth street.
250.....	Frank Ward.....	823 North Sixth street.
251.....	Louis Pettaaga.....	823 North Sixth street.
252.....	Albert Schnetzel.....	912 Wash street.
253.....	Rocco, Natoli.....	812 North Ninth street.
254.....	Sam'l. Calanzaro.....	918 North Eighth street.
255.....	Jno. or Jos. Lamassa.....	815 North Eighth street, rear.
256.....	Casinia, Mercurio.....	810 North Ninth street.
257.....	Jos. Lapresto.....	812 North Eighth street.
258.....	Capone Lorenzo.....	713 Morgan street.
259.....	Frank Camarata.....	826 North Eighth street.
260.....	Tony Camarata.....	810 North Eighth street.
261.....	Antonio Mucegrosso.....	931 North Seventh street.
262.....	Jos. Fontana.....	810 North Eighth street.
263.....	Jno. Kelley.....	817 North Sixth street.

Q. Have you finished the names in fourth precinct, Fourth Ward?—A. Yes.

Q. Turn to the certificates of the judges and clerks of this book, and read their certificate so far as it relates to the candidates for Congress from the Twelfth Congressional district for the short term.—A. J. J. Butler received 204 votes. G. B. Wagoner received 65 votes. On the second book the certificate reads Jas. J. Butler received 204 votes, Geo. C. R. Wagoner received 65 votes.

Q. How many of the judges and clerks of this precinct signed the returns to this book?—A. Four judges and two clerks.

Q. Will you produce the two poll books in your possession of the seventh precinct of the Fourth Ward of the city of St. Louis used at the election held in the said city November 4, 1902, and read therefrom the number, name, and address of each voter whose name appears therein, beginning with number one and continuing in consecutive order until all the names recorded therein have been read by you?—A. Yes.

WARD 4, PRECINCT 7.

Number.	Name.	Address.
1.....	A. G. Meyer.....	1007 Pine street.
2.....	Jas. Gremore, jr.....	1127 Locust street.
3.....	Henry H. Overbeck.....	1122 Locust street.
4.....	Wm. King.....	1127 Olive street.
5.....	Jno. O'Malley.....	308 North Tenth street.
6.....	J. A. Gremore (sr. in one).....	1127 Locust street.
7.....	R. H. Brand.....	1114 Locust street.
8.....	Fred A. Staley.....	204 North Twelfth street.
9.....	Emil Roesen.....	1221 Pine street.
10.....	Sam'l. Hatcher.....	208½ North Eighth street.
11.....	Geo. W. K. Noble.....	1121 Locust street.
12.....	J. H. Tomb.....	Benton Hotel.
13.....	Breedlove Smith.....	Benton Hotel.
14.....	Keller Thomas.....	1110 Locust street.
15.....	H. L. Roundtree.....	803 Pine street.
16.....	Wm. Shields.....	1125 Locust street.
17.....	Edw. Lambert.....	202 North Twelfth street.
18.....	Jno. Manning.....	1106 Locust street.
19.....	D. J. Sweeney.....	1141 Olive street.
20.....	Henry Westerman.....	913½ Pine street.
21.....	F. W. Doering.....	312 North Tenth street.
22.....	Stanley P. Ogden.....	1127 Olive street.
23.....	H. H. Wright.....	1127 Olive street.
24.....	Arthur White.....	919 Olive street.
25.....	Hugh P. Burns.....	1009 Pine street.
26.....	Chas. Reardon.....	1214 Pine street.
27.....	Jos. O'Laughlin.....	1214 Pine street.
28.....	D. A. Shryroek.....	Benton, or Benton Hotel.
29.....	Lawrence Petersen.....	1015 Olive street.
30.....	W. J. Craig.....	1141 Olive street.
31.....	E. Chancellor.....	Rozier Hotel.
32.....	E. M. Linzell.....	Rozier Hotel.
33.....	F. W. Cornell.....	1210 Locust street.
34.....	A. K. Smith.....	1210 Locust.

PRECINCT 4, WARD 7—Continued.

Number.	Name.	Address.
35.....	Thos. E. Allen.....	721 Pine street.
36.....	A. M. Wood.....	1125 Pine street.
37.....	Jno. J. Irvin.....	913 Pine street.
38.....	Wm. Ballard.....	1106 Locust street.
39.....	Clay A. Shelton.....	1019 Pine street.
40.....	Thos. Concammon.....	1122 Locust street.
41.....	T. C. Moore.....	1119 Pine street.
42.....	Eugene Burnett.....	205 North Twelfth street.
43.....	Jno. S. Hines.....	Benton Hotel.
44.....	Chas. J. Irwin.....	913 Pine street.
45.....	Walter Roberts.....	1106 Locust.
46.....	Geo. Martin.....	207½ North Twelfth street.
47.....	Geo. C. R. Wagoner.....	1127 Olive.
48.....	J. W. Golthwaite, or Goldwait (no initials).	913½ Pine street.
49.....	E. H. Dutton.....	913½ Pine street.
50.....	S. M. Wilson.....	1125 Locust street.
51.....	C. C. Holt.....	1219 Chestnut street.
52.....	Jno. Reilly.....	1215 Pine street.
53.....	Martin Moore.....	Emory Hotel.
54.....	Frank Ferr.....	1019 Pine street.
55.....	Chas. Little.....	Oriental Hotel.
56.....	Harry Lewis.....	1019 Pine street, 419 North Twelfth street.
57.....	Pat Scully.....	1012 Locust street.
58.....	Jeff Scollard.....	1012 Locust street.
59.....	Sam Rose or Ross.....	1215 Pine street.
60.....	Henry Lohrer.....	Rozier Hotel.
61.....	J. C. Sleeper or Sleeper.....	1017 Olive street.
62.....	W. H. Allis.....	924 Locust street.
63.....	Geo. Dean.....	1217 Pine street.
64.....	Jas. Davis.....	1217 Pine street.
65.....	Henry Paulley.....	1122 Locust street.
66.....	Thos. Keatting.....	Emory Hotel.
67.....	Louis Gafton.....	201 North Thirteenth street or 202 same.
68.....	Thos. Gorin.....	Emory Hotel.
69.....	Mike Jones.....	202 North Thirteenth street.
70.....	Wm. A. Craig.....	1015 Olive or 1015 Pine street.
71.....	Jas. Moseby.....	1211 Pine street.
72.....	Henry Turner or Geo. Tully.....	Oriental Hotel or 1012 Locust.
73.....	Geo. Tuffy, Henry Turner.....	1012 Locust street or Oriental Hotel.
74.....	L. D. Hopkins.....	803 Pine street.
75.....	Henry Simon.....	1125 Locust.
76.....	W. R. McClure.....	803 Pine street.
77.....	Chas. McNulty.....	1115 Pine street.
78.....	Robt. McDonell.....	1217 Pine street.
79.....	Jno. Hogan.....	1009 Pine street.
80.....	Henry Emmerson.....	922 Locust street.
81.....	Albert Uthoff.....	1122 Locust street.
82.....	Jos. Lincoln.....	Oriental Hotel.
83.....	Wm. Turge.....	1014 Locust street.
84.....	M. Guilton.....	202 North Thirteenth street.
85.....	Jos. Edwards.....	1012 Locust street.
86.....	M. Brady.....	102 North Thirteenth street.
87.....	Wm. Rocker.....	202 North Thirteenth street.
88.....	Jos. Scullin.....	1012 Locust street.
89.....	Jno. Bolk.....	207½ North Twelfth street.
90.....	J. W. Tucker.....	305A North Twelfth street.
91.....	Harry Klupper.....	1017 Olive street.
92.....	Martin Adler.....	1017 Olive street.
93.....	Jno. Devlin.....	205 North Thirteenth street.
94.....	Wm. Cowan.....	110 North Twelfth street.
95.....	Albert M. Sheppard.....	1233 Market street.
96.....	Titus F. Ellis.....	Rozier Hotel.
97.....	E. L. Thedreses.....	Rozier Hotel.
98.....	Henry E. Dwelle.....	314 North Eleventh street.
99.....	J. H. Leve.....	1225 Pine street.
100.....	Wm. M. Webb.....	1111 Locust street.
101.....	F. P. Noon.....	202 North Ninth street.
102.....	Henry Feb.....	316 North Eleventh street.
103.....	Gottlieb Maurer.....	400 North Twelfth street.
104.....	George Sutton Sinclair.....	1210 Locust street.
105.....	Herman Bloek.....	304 North Eleventh street.
106.....	Geo. Short.....	1220 Pine street.
107.....	Harry Thompson.....	1220 Pine street.
108.....	Chas. Murre.....	Benton Hotel.
109.....	Jas. Mooney.....	Rozier Hotel.
110.....	Mike Polds.....	Benton Hotel.
111.....	R. L. Moore.....	Hotel Rozier.
112.....	Adam Krants.....	1216 Pine street.
113.....	R. W. Carty or Carter.....	1215 Pine street.
114.....	S. Z. Cybyor.....	304 North Twelfth street.

WARD 4, PRECINCT 7—Continued.

Number.	Name.	Address.
115.....	Geo. Lewis	312 North Twelfth street.
116.....	P. J. Bonner	1219 Pine street.
117.....	Peter Thompson	1019 Pine street.
118.....	Wm. B. Collins	1217 Pine street.
119.....	Wm. Vaughn	116 North Thirteenth street.
120.....	Herman Ray	1215 Pine street.
121.....	Mike Grady	1215 Pine street.
122.....	Fred Ely	1012 Locust street.
123.....	Jno. Statt	Emory Hotel or 204 North Twelfth street.
124.....	Herman Sandy	1216 Pine street.
125.....	Morris or Maurice Neher	Oriental Hotel.
126.....	Ed. Werner	1216 Pine street.
127.....	Chas. Friend	1017½ Pine street.
128.....	Geo. Lowe	Oriental Hotel.
129.....	Geo. Wilson	Emory Hotel.
130.....	Jos. Tiffney	1012 Locust street.
131.....	Louis Merz	204 North Twelfth street.
132.....	Frank Peas	Oriental Hotel.
133.....	Jackson Hill	202 North Thirteenth street.
134.....	Jno. Hill	102 North Thirteenth street.
135.....	Jno. Roberts	202 North Thirteenth street.
136.....	Wm. Harvey	202 North Thirteenth street.
137.....	Jas. Sulley	1216 Pine street.
138.....	Jos. Haney, or Jas.	202 North Thirteenth street.
139.....	Mike McGee	1215 Pine street.
140.....	Mike Gary	1019 Pine street.
141.....	Jno. Cole	102 North Thirteenth street.
142.....	Chas. Reed	1217 Pine street.
143.....	Jno. Devine	1113 Locust street.
144.....	Mike Anderson	Emory Hotel.
145.....	Jas. Davis	102 North Thirteenth street.
146.....	Jos. Phoney	1019 Pine street.
147.....	H. Schulz	1019 Pine street.
148.....	B. S. Rilling	202 North Thirteenth street.
149.....	Jno. Pine, or Porsell	1019 Pine street.
150.....	Calvin Price	Oriental Hotel.
151.....	Wm. Perkins	1229 Pine street.
152.....	Thos. Tasker	1014 Locust street.
153.....	Thos. Dowling	1017 Pine street.
154.....	Joe Pittsburg	1017½ Pine street.
155.....	Morris Lempke	Oriental Hotel.
156.....	Jas. Dooley	1225 Market street.
157.....	Jas. Elton	1014 Locust street.
158.....	Chas. Hill	202 North Thirteenth street.
159.....	Wm. Newton	1217 Pine street.
160.....	Henry Frumson	1226 Pine street.
161.....	Al. Geldon	Oriental Hotel.
162.....	H. Francis	1017 Pine street.
163.....	Hugo Doering	1019 Pine street.
164.....	Thos. O'Malley	400 North Twelfth.
165.....	Chas. Peter	1019 Pine street.
166.....	Jos. Sargent	1014 Locust street.
167.....	Walter Lang	1009 Pine street.
168.....	Hugh Patterson	Benton Hotel.
169.....	Jno. Frost	312 North Twelfth street.
170.....	Henry Lowen	922 Locust street.
171.....	Jno. Rohen	1216 Pine street.
172.....	Jno. Milley or Miles	1220 Pine street.
173.....	Jas. Perry	1017½ Pine street.
174.....	Chas. Jansen	1216 Pine street.
175.....	Jno. Haverhill	202 North Thirteenth street.
176.....	Harry Trigg	Oriental Hotel.
177.....	Jos. Murz	Benton Hotel.
178.....	Chas. Bales	312 North Twelfth street.
179.....	Frank Wall	1009 Pine street.
180.....	Simon Utley	Oriental Hotel.
181.....	Jos. Lefton	1216 Pine.
182.....	Jno. T. Ryan	1215 Pine street.
183.....	Peter Nagel	Oriental Hotel.
184.....	Jas. Lyons	1216 Pine street.
185.....	Wm. Carr	Emory Hotel.
186.....	Jas. Gerken	Benton Hotel.
187.....	Jas. Crosby	1216 Pine street.
188.....	Chas. L. Coffey	Rozier Hotel.
189.....	Pat Gill	1019 Pine street.
190.....	Phil Tura, or Wm. Tura	Oriental Hotel.
191.....	Wm. Bergen	1127 Olive.
192.....	Joe Miller	419 North Twelfth street.
193.....	Ed. Murphy	Benton Hotel.
194.....	August Tessing	Oriental Hotel.
195.....	M. Sindy	1017½ Pine street.
196.....	Fred Lark	1121 Pine street.

WARD 4, PRECINCT 7—Continued.

Number.	Name.	Address.
197.....	Geo. Hogan	102 North Thirteenth street.
198.....	Jos. Ruff	1214 Pine street.
199.....	Martin Lane	1122 Locust street.
200.....	Jno. McAuliffe, or McCullough.....	202 North Thirteenth street.
201.....	R. W. Carter	1215 Pine street.
202.....	Henry Giener.....	1017 Pine street.
203.....	Thos. Wilson.....	1216 Pine.
204.....	Wm. Casey.....	201 North Thirteenth street, or 102 North Thirteenth.
205.....	Frank Lott.....	1215 Pine street.
206.....	Jas. Smith	1216 Pine street.
207.....	Jas. Frail	1019 Pine street.
208.....	Jas. Bryan	Emory Hotel.
209.....	Herman Pearl	1017½ Pine street.
210.....	Jno. Hofmeister	102 North Thirteenth street.
211.....	Jos. Jones.....	102 North Thirteenth street.
212.....	H. G. Franks.....	102 North Thirteenth street, or 1019 Pine.
213.....	Henry Franks	1017½ Pine street, or 102 North Thirteenth.
214.....	Wm. Fromler.....	922 Locust street.
215.....	Chas. Smith	Rozier Hotel.
216.....	Jas. Duffy	102 North Thirteenth street.
217.....	Jno. Thomas	1017½ Pine street.
218.....	Name erased.....	
219.....	Adold Theodore.....	1214 Pine street.
220.....	Frank Mudd	1215 Pine street.
221.....	Jno. Clark	Rozier Hotel.
222.....	Chas. Cook	1217 Pine street.
223.....	Geo. Gamble	102 North Thirteenth street.
224.....	Frank Carter.....	1215 Pine street.
225.....	Frank Eckers	Rozier Hotel.
226.....	Jno. Block	102 North Thirteenth street.
227.....	Frank Thies	Emory Hotel.
228.....	Ed. Sullivan.....	1014 Locust or Pine street.
229.....	Geo. Breen	1122 Locust street.
230.....	Ed. Coleman	1215 Pine street.
231.....	Jno. Collins	1122 Locust.
232.....	Jos. Newell.....	1215 Pine street.
233.....	T. J. Flannigan.....	1207 Olive street.
234.....	G. Lippe.....	Oriental Hotel.
235.....	Jos. Allison.....	Hotel Rosier.
236.....	Jos. Rein	202 North Thirteenth street.
237.....	Joe Miller.....	1225 Market street.
238.....	Frank Casey	1122 Locust street.
239.....	Pat Lane.....	Oriental Hotel.
240.....	A. Peek.....	Oriental Hotel.
241.....	Jasper Hunt	1215 Pine street.
242.....	Conrad Schott	1217 Pine street.
243.....	Wm. Powers	1229 Pine street.
244.....	Geo. Collins, or Jos	1216 Pine street.
245.....	Wm. Fogarty	Rozier Hotel.
246.....	Henry Frank	102 North Thirteenth street.
247.....	Jas. Carroll.....	102 North Thirteenth street.
248.....	M. W. McDonald	721 Pine street.
249.....	Wm. Rose.....	1215 Pine street.
250.....	Jas. Samuels.....	Moser Hotel.
251.....	Jno. Taylor.....	Oriental Hotel.
252.....	Jno. Eckerle	200 North Twelfth street.
253.....	Jno. Burns.....	Emory Hotel.
254.....	Fred Tayon	Emory Hotel.
255.....	Jas. Powers	1229 Pine street.
256.....	Jno. Cullen	102 North Thirteenth street.
257.....	Jas. King	102 North Thirteenth street.
258.....	Geo. Watkins	1216 Pine street.
259.....	Frank True	1019 Pine street.
260.....	Frank Burns	102 North Thirteenth street.
261.....	Jno. A. Howard	1019 Pine street.
262.....	Herman Preise.....	Moser Hotel.
263.....	L. M. Johnson	1147 Olive street.
264.....	Jos. Hogan.....	312 North Twelfth street.
265.....	M. Loton	1017½ Pine street.
266.....	Louis Leiker.....	119 North Twelfth street.
267.....	Jno. Donovan.....	102 North Thirteenth street.
268.....	W. A. Lambur	1218 Pine street.
269.....	Wm. Dean	1217 Pine street.
270.....	H. Davis	Benton Hotel.
271.....	Al. Thompson	1214 Pine street.
272.....	Frank Myer	1113 Locust street.
273.....	Ed. Fox.....	102 North Thirteenth street.
274.....	Wm. Bargeit.....	1220 Pine street.
275.....	Alex. Merkel	Rozier Hotel.
276.....	Wm. Lofthagen	Rozier Hotel.

WARD 4, PRECINCT 7—Continued.

Number.	Name.	Address.
277	August Newell	1215 Pine street.
278	Jas. Smith	1220 Pine street.
279	E. T. Demerer	803 Pine street.
280	Jno. Hill	1121 Pine street.
281	Chas. Durney	Benton Hotel.
282	Dan. Heffernan	241 North Ninth street.
283	Frank Summers	Oriental Hotel.
284	Chas. Denton	Benton Hotel.
285	Adam Phillips	Oriental Hotel.
286	Jno. Collins	1220 Pine street.
287	W. M. Cosby	1216 Pine street.
288	Fred Gause	1019 Pine street.
289	Jno. H. Howard	1121 Pine street.
290	Wm. Hill	Rozier Hotel.
291	Geo. Thomas	1220 Pine street.
292	Thos. Mahone	Rozier Hotel.
293	Jno. Ryan	312 North Twelfth street.
294	Jno. Rollins	Rozier Hotel.
295	Thos. McCormick	Rozier Hotel.
296	August Neise	Oriental Hotel.
297	Jno. Logan	312 North Twelfth street.
298	Ralph McRee	1211 Pine street.
299	Russel Ryley	Rozier Hotel.
300	Ed. Muller	Rozier Hotel.
301	Morris Fine	1214 Pine street.
302	Wm. Carroll	1014 Locust street.
303	Henry Groves	1216 Pine street.
304	Jos. Elloe, or Elve	Benton Hotel.
305	Frank Heyer	312 North Twelfth street.
306	Morris Jeffery	1216 Pine street.
307	Chas. Dillon	Rozier Hotel.
308	Walter Thies	1214 Pine street.
309	Jno. Meyer	Rozier Hotel.
310	Wm. Long	1009 Pine street.
311	Wm. McGuinness	419 North Twelfth street.
312	Mike Moll	1214 Pine street.
313	Jno. Cass	312 North Twelfth street.
314	Bates Rabe	304 North Eleventh street.
315	Thos. Haley	1009 Pine street.
316	Phil. Hogan	Rozier Hotel.
317	Al. Bradshaw	102 North Thirteenth street.
318	Jno. Clark, jr.	Rozier Hotel.
319	Rich. Padden	Moser Hotel.
320	G. M. Keeley	207½ North Twelfth street.
321	Jas. Walsh	922 Locust street.
322	Jas. Golden	1215 Pine street.
323	Jas. Sanford	Benton Hotel.
324	Wm. Joss	Moser Hotel.
325	Ed. Lenton	922 Locust street.
326	Geo. Davis	Emery Hotel.
327	B. H. Dearick	1121 Pine street.
328	Jas. Dunbar	317 North Thirteenth street.
329	Jas. J. O'Donnell	1228 Pine street.
330	Ed. Fuller	Rozier Hotel.
331	August Hoffman	Rozier Hotel.
332	Isaac Jergo	Benton Hotel.
333	Harry Logan	1214 Pine street.
334	Jos. Lambert	922 Locust street.
335	Jno. Madden	1113 Locust street.
336	Alex. Murrey	1006 Olive street.
337	Henry Downs	Benton Hotel.
338	Phil. Plant	922 Locust street.
339	Jas. Brown	Moser Hotel.
340	Frank Ellsey	Benton Hotel.
341	Jno. Duffy	Moser Hotel.
342	Wm. Carpenter	1214 Pine street.
343	Thos. Walton	922 Locust street.
344	Thos. Shields	Benton Hotel.
345	Jno. Roddy, or Riley	312 North Twelfth street.
346	Henry Jones	1214 Pine street.
347	Eugene Kelm	1125 Locust street.
348	Henry Hines	Rozier Hotel.
349	Jas. Laughlin	Rozier Hotel.
350	Pat. Holmes	Rozier Hotel.
351	Jno. Simmons	Moser Hotel.
352	Jos. Beck	Moser Hotel.
353	Michael Hogan	Moser Hotel.
354	Frank Conrad	1216 Pine street.
355	Herman Joseph	1211 Pine street.
356	Chas. Shelby	1214 Pine street.
357	Jas. King	Benton Hotel.
358	Frank Keys	Moser Hotel.
359	August Rolf	1214 Pine street.

WARD 4. PRECINCT 7—Continued.

Number.	Name.	Address.
360.....	Jno. Hehl	1216 Pine street.
361.....	Jas. Ryan	1214 Pine street.
362.....	Geo. Greves	Benton Hotel.
363.....	Alex. Meffer	Moser Hotel.
364.....	Joe Clark, or Jas. Johnson.....	1220 Pine, or 1218 Pine street.
365.....	Jas. Johnson, or Joe Clark	1216 Pine, or 1220 Pine street.
366.....	Jos. Burge	Moser Hotel.
367.....	Thos. Diel	Moser Hotel.
368.....	Jno. Hall	1225 Market street.
369.....	Simon Guffer	Benton Hotel.
370.....	Thos. Keegan	Moser Hotel.
371.....	Wm. Mason	317 North Twelfth street.
372.....	W. T. Dobbins, or Alex. Grady	1127 Olive, or 1235 Market street.
373.....	Alex. Brady, or Jno. Sullivan	1235 Market street, or 1214 Pine street
374.....	Jno. Sullivan, or W. T. Dobbins.....	1214 Pine, or 1127 Olive street.
375.....	Jeff Grant	1216 Pine.
376.....	Chas. Moore	114 North Thirteenth street.
377.....	Jno. Waters	1219 Chestnut street.
378.....	Henry Newby	1214 Pine street.
379.....	Ed. Wiber	1006 Olive street.
380.....	Wm. Cahill	Rozier Hotel.
381.....	Geo. Heckman	400 North Twelfth street.
382.....	W. H. Cotton	1218 Olive street.
383.....	Frank Hussey	208½ North Eighth street.
384.....	Geo. Potthast	204 North Twelfth street.
385.....	Jack Pratt	Moser Hotel.
386.....	Wm. Johnson	1214 Pine street.
387.....	Jno. Naves	225 Market street.
388.....	Adolph Mogg	Moser Hotel.
389.....	Jas. Heffer	Benton Hotel.
390.....	H. Cohen	1216 Pine street.
391.....	Herman Lowe	Rozier Hotel.
392.....	Geo. Deadrick	Moser Hotel.
393.....	Morris Geel	1216 Pine street.
394.....	Jno. Miller	312 North Twelfth street.
395.....	Jno. Farley	1333 Market street.
396.....	August Platt	Benton Hotel.
396.....	Al. Gordon	Benton Hotel.
398.....	Jas. O'Brien	1216 Pine street.
399.....	Jno. M. Tobin	102 North Thirteenth street.
400.....	C. B. Hill	1106 Locust street.
401.....	Peter Hogan	419 North Twelfth street.
402.....	Chas. McDonnell	1215 Pine street.
403.....	Joe McAnliff	419 North Twelfth street.
404.....	Jacob Elogg	1017½ Pine.
405.....	Jas. Sullivan	308 North Tenth street.
406.....	Peter White	102 North Thirteenth street.
407.....	Ben Horrack, or Horan	209 North Tenth street, or 209 North Ninth.
408.....	R. R. Barnes	1106 Locust street.
409.....	Jas. Holmes	312 North Twelfth street.
410.....	Jno. McCarthy	1217 Pine.
411.....	Jacob Small	Benton Hotel.
412.....	Jos. Alberts	Moser Hotel.
413.....	Fred Lausing	Rozier Hotel.
414.....	Jas. Fortune	922 Locust.
415.....	Joe Good, or Goe Good	1225 Market street.
416.....	Tom Foley	1333 Market street.

Q. Will you examine the certificate at the end of this poll book, made by the judges and clerks, and state the number of votes certified to have been cast for the candidates for Congress for the short term?—A. Yes; Jas. J. Butler received 350 votes; J. C. R. Wagoner received 6 votes. On the second book certificate decides that Jas. J. Butler received 351 votes and Geo. C. R. Wagoner received 6 votes.

Q. State whether all of the judges and clerks have signed both the poll books.—A. Yes.

Q. Will you now take the poll books out of precinct 9, Ward 4, and proceed to give the numbers and names and addresses? I refer to the poll books used in said precinct at the election held November 4, 1902.—A. Yes.

PRECINCT 9, WARD 4.

Number.	Name.	Address.
1.....	Alexander, Robt.....	705 North Sixteenth street.
2.....	Anderson, Lewis.....	1611 Morgan street.
3.....	Anderson, Jno.....	717 North Sixteenth street.
4.....	Alexander, Sam'l.....	814 North Eighteenth street.
5.....	Abel, Henry.....	822 North Seventeenth street.
6.....	Able, Geo.....	822 North Seventeenth street.
7.....	Boellener, Oscar.....	1710 Franklin avenue.
8.....	Berning, Fred.....	1616 Franklin avenue.
9.....	Bellinger, Jack.....	1609 Linden street.
10.....	Brown, Ed.....	1624 Morgan street.
11.....	Butler, Lewis.....	1718 Pine street.
12.....	Bell, Lot.....	1633 Gay street.
13.....	Boberschmidt, Jos.....	1633 Linden street.
14.....	Boberschmidt, Frank, jr.....	1631 Linden street.
15.....	Buchanan, Clarence.....	1624 Morgan street.
16.....	Bown, Moses.....	1721 Lucas avenue.
17.....	Brown, Jno.....	1715 Lucas avenue.
18.....	Blake, Jas.....	811 North Seventeenth street.
19.....	Buchanan, J. D.....	1616 Morgan street.
20.....	Bryant, Geo.....	715 North Sixteenth street.
21.....	Buerger, F. J.....	1635 Morgan street.
22.....	Buchanan, Jerry.....	1616 Morgan street.
23.....	Bell, Clarence.....	1701½ North Sixteenth street.
24.....	Bailey, Jno.....	1712 Morgan street.
25.....	Brandon, Geo.....	1717 Lucas street.
26.....	Boland, Thos.....	819 North Sixteenth street.
27.....	Brown, Simon.....	1600 Morgan street.
28.....	Crawford, Thos.....	1622 Franklin avenue.
29.....	Canty, Patrick J.....	811 North Seventeenth street.
30.....	Clodfelter, Jno. M.....	820 North Eighteenth street.
31.....	Cohen, Goodman.....	1634 Franklin avenue.
32.....	Canty, Eugene T.....	811 North Seventeenth street.
33.....	Childress, Isaac E.....	1616 Gay street.
34.....	Chamblin, or Chamberlain, Jas.....	1629 Gay street.
35.....	Cunningham, M.....	815 North Sixteenth street.
36.....	Coxe, G. W.....	1635 Gay street.
37.....	Collins, Jno.....	1636 Franklin avenue.
38.....	Clemmons, Geo.....	1625 Linden street.
39.....	Chappell, A. H.....	713 North Thirteenth street, or North Sixteenth street.
40.....	Cullen, Jos.....	1636 Franklin street.
41.....	Childress, A. J.....	1722 Franklin avenue.
42.....	Cads, or Cods, Ben.....	1612 Morgan street.
43.....	Collins, Jas.....	701½ or 1701½ North Sixteenth street.
44.....	Crawford, Jas.....	1716 Morgan street.
45.....	Cohen, Jos.....	816 North Seventeenth street.
46.....	Cole, Peter.....	818 North Seventeenth street.
47.....	Creamer, Frank.....	816 North Seventeenth street.
48.....	Cosgrove, Geo.....	816 North Seventeenth street.
49.....	Coston, Jas.....	1714 Morgan street.
50.....	Cox, H. M.....	1636 Morgan street.
51.....	Colman, Wm.....	1616 Linden street.
52.....	Coonce, Jno. L.....	1614 Gay street.
53.....	Childress, Wm.....	1636 Franklin avenue.
54.....	Dobins, Alonzo L.....	1635 Linden street.
55.....	Drumm, L. H.....	1728 Franklin avenue.
56.....	Dessaur, Emmanuel.....	1616 Franklin avenue.
57.....	Durkin, Jas.....	1637 Morgan street.
58.....	Dickson, Jas.....	1636 Franklin avenue.

We will now take a recess from 6.40 p. m. till 8 p. m., December 30, 1902.
 Testimony will now be resumed at 8.35 p. m.

PRECINCT 9, WARD 4—Continued.

Number.	Name.	Address.
59.....	Boys, Chas. F.....	1636 Morgan street.
60.....	Brandon, Jas.....	1636 Morgan street.
61.....	Barks, Jas.....	1608 Morgan street.
62.....	Billups, Aron.....	1719 Linden street.
63.....	Blair, Chas.....	1729 Linden street.
64.....	Burn, Johns.....	821 North Sixteenth street.
65.....	Davis, George.....	1734 Franklin avenue.
66.....	Dickson, Frank.....	711 North Sixteenth street.
67.....	Decluer, J. B.....	1734 Morgan street.
68.....	Dee, John.....	1636 Franklin avenue.

PRECINCT 9, WARD 4—Continued.

Number.	Name.	Address.
69.	Devine, Edw.	1636 Franklin avenue.
70.	Dowdy, Richard	1609 Linden.
71.	DeLacey, Frank	1620 Franklin avenue.
72.	Evans, R.	1720 Linden street.
73.	Evans, F.	1720 Linden street.
74.	Evans, Wm.	1600 Morgan street.
75.	Ellis, Jno.	1702 North Sixteenth street.
76.	Fahe, D. J.	814 North Seventeenth street.
77.	Fluker, Jas.	719 North Sixteenth street.
78.	Foley, Thos.	816 North Seventeenth street.
79.	Fuller, Andrew	814 North Seventeenth street.
80.	Frohman, Jno.	814 North Seventeenth street.
81.	Funk, Adam	816 North Seventeenth street.
82.	Foos, T. J.	816 North Seventeenth street.
83.	Franklin, Daniel	718½ North Sixteenth street.
84.	French, Thos.	703 North Sixteenth street.
85.	Finnan, Jno. P.	828 North Eighteenth street.
86.	Fizzor, Wm.	1602 Morgan street.
87.	Franklin, M.	1620 Franklin avenue.
88.	Guyton, Jno.	1612 Morgan street.
89.	Grundler, G. J.	1616 Franklin avenue.
90.	Goedecke, A.	1724 Franklin avenue.
91.	Glaser, Michael T.	1608 Franklin avenue.
92.	Golding, J. W.	1626 Franklin avenue.
93.	Gardella, F.	1608 Franklin avenue.
94.	Gieselmann, E. A.	821 North Sixteenth street.
95.	Guthrel, Jno.	1734 Franklin avenue.
96.	Greenfella, Edw.	1712 Morgan street.
97.	Gray, N. H., or Grady	816 North Sixteenth street.
98.	Gross, Jos.	716 North Sixteenth street.
99.	Hawkins, Lawrence	703 North Sixteenth street.
100.	Hicks, Benj.	1613 North Sixteenth street.
101.	Holliday, Chas.	719 North Sixteenth street.
102.	Henason, W. C.	1607 Linden street.
103.	Hockaday, Clay	1622 Linden street.
104.	Hyde, Robert	814 North Seventeenth street.
105.	Hogan, Jas.	1720 Franklin avenue.
106.	Hammer, Otto	1730 Franklin avenue.
107.	Henderson, G.	1610 Morgan street.
108.	Hubbard, P.	1705½ Lucas avenue.
109.	Hefferman, M.	1626 Franklin avenue.
110.	Harris, Thomas	718 North Eighteenth street.
111.	Haney, Jno.	1635 Morgan street.
112.	Hamilton, K.	1716 Morgan street.
113.	Henderson, Chas.	1613 Linden street.
114.	Hall, Chas.	1625 Linden street.
115.	Gill, Chas.	1608 Morgan street.
116.	Hull, Danl.	1633 Gay street.
117.	Hines, Chas.	719 North Sixteenth street.
118.	Isabel, M.	1716 Morgan street.
119.	Ivery, Peter	1714 Linden street.
120.	James, Pleasant	1725 Linden street.
121.	Jones, A.	811 North Sixteenth street.
122.	Jones, Wm.	1710 Gay street.
123.	Jordan, Geo. R.	1616 Morgan street.
124.	Johnson, Wm.	1617 Morgan street.
125.	Johnson, Andrew	1719 Lucas avenue.
126.	Johnson, Joseph	1608 Morgan street.
127.	Jennings, Hall B.	1626 Morgan street.
128.	Johnson, Ammon	1602 Morgan street.
129.	Kohrs, Martin	1707 Lucas avenue.
130.	Kattelman, Henry A.	1730 Franklin avenue.
131.	Kohn, Henry W.	1707 Lucas avenue.
132.	Kirk, W. M.	1628 Morgan street.
133.	Kelly, Jno. K.	807 North Seventeenth street.
134.	Klipskein, Theodore	1600 Franklin avenue.
135.	Kimball, Jos.	810 North Seventeenth street.
136.	Kohn, Moris	816 North Seventeenth street.
137.	Kempf, Edward	818 North Eighteenth street.
138.	Kohn, Meyer	816 North Seventeenth street.
139.	Kennedy, Jas.	816 North Seventeenth street.
140.	Kronhoff, August	818 North Seventeenth street.
141.	Kelly, James	816 North Sixteenth street.
142.	Kelly, Jno. C.	1709 Morgan street.
143.	King, John	1717 Linden street.
144.	Lofhagan, Edward	1719 Morgan street.
145.	Lyle, Geo. W.	708 North Eighteenth street.
146.	Lofhagan, Wm. F.	1715 Morgan street.
147.	Loyd, Jas.	701 North Sixteenth street.
148.	Lain, Wm. R.	1610 Franklin avenue.
149.	Lickiss, Richd. J.	1720 Franklin avenue.
150.	Lofhagan, F. W.	1717 Morgan street.
151.	Loyd, Jno.	1716 Gay street.

PRECINCT 9, WARD 4—Continued.

Number.	Name.	Address.
152.	Lane, Wm. R., Jr.	1610 Franklin avenue.
153.	Lackey, Richard	710 North Eighteenth street.
154.	Loose, D. A.	822 North Eighteenth street.
155.	McConnighy, Peter	1703½ Morgan street.
156.	McKinney, Thos.	1718 Morgan street.
157.	McCullen, J. E.	1730 Franklin avenue.
158.	McCoy, Arthur	1629 Morgan street.
159.	McGee, Morris	818 North Seventeenth street.
160.	McGee, Henry	816 North Seventeenth street.
161.	McDonald, Chas.	816 North Seventeenth street.
162.	McFarland, M.	1626 Franklin avenue.
163.	McCutcheon, Wm.	1631 Gay street.
164.	McNamara, Henry	1722 Franklin avenue.
165.	McFarland, James	1619 Linden street.
166.	Montgomery, M. G.	1719 Linden street.
167.	Miller, Henry	719 North Sixteenth street.
168.	Miller, Jas. J.	812 North Eighteenth street.
169.	Merz, Paul	1606 Franklin avenue (rear).
170.	Montgomery, E. W.	1721 Morgan street.
171.	Martin, Michael A.	1636 Franklin avenue.
172.	Morgan, Chas. H.	1717 Lucas avenue.
173.	Meyerson, Jno.	1636 Franklin avenue.
174.	Meyers, Frank	822 North Seventeenth street.
175.	Milan, Chas.	1714 Morgan street.
176.	Mullen, Jno. D.	1608 Morgan street.
177.	Mitchell, Robert	1612 Linden street.
178.	Mullen, Dan	822 North Seventeenth street.
179.	Meller, Joseph	822 North Seventeenth street.
180.	Mohan, Chas.	822 North Seventeenth street.
181.	Melton, Edw.	1636 Franklin avenue.
182.	Mullen, John	816 North Sixteenth street.
183.	Milan, Chas.	1714 Morgan street.
184.	Meryweather, John	707 North Sixteenth street.
185.	Madison, Henry F.	1629 Morgan street.
186.	Medrie, Jos.	826 North Eighteenth street.
187.	Mennier, Frank	1636 Franklin avenue.
188.	Mannion, Chas.	1636 Franklin avenue.
189.	Noonan, Thos. J.	1608 Franklin avenue.
190.	Nichols, J.	1616 Gay street.
191.	Newman, Wm.	1636 Franklin avenue.
192.	Negrains, Adolph	1636 Franklin avenue.
193.	Neff, Chris	1636 Franklin avenue.
194.	Overton, Walter H.	1619 Morgan street.
195.	O'Connor, Jerry	814 North Seventeenth street.
196.	O'Connor, Jas.	814 North Seventeenth street.
197.	O'Connor, Michael	814 North Seventeenth street.
198.	Pinkard, Wm.	1723 Linden street.
199.	Phelps, Chas. H.	1718 Franklin avenue.
200.	Pettingill, Archie A. or A. A.	820 North Eighteenth street.
201.	Powers, Jas.	816 North Seventeenth street.
202.	Pelton, Edward	814 North Seventeenth street.
203.	Ruenzi, Joseph	812 North Eighteenth street.
204.	Rosewell, Joseph	1636 Franklin avenue.
205.	Rohan, Harry	1636 Franklin avenue.
206.	Rice, General	713 North Sixteenth street.
207.	Robinson, Jas.	1608 Morgan street.
208.	Richson, James	1606 Morgan street.
209.	Wheat, Reed	1636 Morgan street.
210.	Reed, T. H.	1636 Morgan street.
211.	Ryan, W. H.	1620 Franklin avenue.
212.	Smith, Nelson	703 North Sixteenth street.
213.	Schmidt, Gustave	1616 Franklin avenue.
214.	Sughran, Rodger	1712 Franklin avenue.
215.	Soeker, Henry	1701 Morgan street.
216.	Sutherland, G. W.	1615 Lucas avenue.
217.	Scott, Chas.	1716½ Morgan street.
218.	Stickford, Jno. A.	810 North Eighteenth street.
219.	Soeker, Barney	1701 Morgan street.
220.	Sutherland, Geo. F.	1615 Lucas avenue.
221.	Sims, J. C.	1728 Morgan street.
222.	Smith, Arthur	1636 Franklin avenue.
223.	Sweeney, Edward	1636 Franklin avenue.
224.	Sherrill, James	1719 Lucas avenue.
225.	Snyder, Thos. L.	705 North Sixteenth street.
226.	Snyder, Jas. A.	705 North Sixteenth street.
227.	Smith, J. H.	1723 Morgan street.
228.	Sollen, Alfred, or Soler	1636 Franklin avenue.
229.	Sudgen, Joseph	816 North Seventeenth street.
230.	Simon, John	814 North Seventeenth street.
231.	Simcox, Matt	818 North Seventeenth street.
232.	Solomon, John	1636 Franklin avenue.
233.	Sohn, Isaac	818 North Seventeenth street.
234.	Smith, Thos. J.	1731 Morgan street.

PRECINCT 9, WARD 4—Continued.

Number.	Name.	Address.
235.....	Sehomber, Ed.....	1606 Franklin avenue.
236.....	Swartz, J. M.....	1636 Franklin avenue.
237.....	Story, Thos.....	810 North Eighteenth street.
238.....	Tyler, Peter.....	1614 Gay street.
239.....	Thomas, Gilbert.....	1719 Linden street.
240.....	Thomson, Frank.....	822 North Seventeenth street.
241.....	Waishaner, Sam'l.....	1722 Franklin avenue.
242.....	Watts, Stephen.....	1635 Linden street.
243.....	West, A. R.....	719 North Sixteenth street.
244.....	Woods, James.....	1636 Franklin avenue.
245.....	Woods, Edward.....	1636 Franklin avenue.
246.....	Wall, James.....	1636 Franklin avenue.
247.....	Wood, Geo.....	1621 Linden street.
248.....	Weymen, Frank.....	1636 Franklin avenue.
249.....	Wright, George.....	814 North Seventeenth street.
250.....	Wright, Edw.....	814 North Seventeenth street.
251.....	Wright, Thos.....	814 North Seventeenth street.
252.....	Wilson, Tom.....	1636 Franklin avenue.
253.....	Williams, Edw.....	818 North Seventeenth street.
254.....	Wellman, Frank.....	816 North Seventeenth street.
255.....	Winters, Fred.....	818 North Eighteenth street.
256.....	Westen, John.....	816 North Seventeenth street.
257.....	Welch, Arthur.....	1704 Linden street.
258.....	Wilson, Chas.....	719 North Sixteenth street.

By Mr. KINSEY:

Q. Turn now to the certificate of the judges and clerks upon these poll books and read the votes given for the several candidates for Congress for the short term as certified by them in said certificate.—A. James J. Butler received 237 votes, George R. C. Wagner received 21 votes.

Q. Are the certificates to these poll books signed by four judges and two clerks?—A. Yes.

Q. Will you now produce the poll books used in the fourth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., and read therefrom the number, names, and addresses of the voters recorded therein, beginning with number one, and continuing to and including the last number?—A. Yes.

PRECINCT 4, WARD 14.

No.	Name.	Address.
1.....	Michael Morrisey.....	2140 Market street.
2.....	McKeown (no initials).....	2140 Market street.
3.....	Jas. A. or H. Johnson.....	2103 Market street.
4.....	Lewis Markloff.....	2032 Market street.
5.....	Joel H. Ard.....	2111 Eugene street.
6.....	Michael J. Toohey.....	2041 Eugene street.
7.....	Wm. J. Downey.....	2139 Eugene street.
8.....	Hugh Dougherty.....	5 North Twenty-first street.
9.....	J. P. or Z. P. Harris.....	2106 Walnut street.
10.....	Ervin Caldwell.....	2027 Walnut street.
11.....	John B. Canard.....	2019½ Eugene street.
12.....	Jos. M. Toohey.....	2041 Eugene street.
13.....	John H. Brinkman.....	2014 Market street.
14.....	Wm. McCree.....	2025 Walnut street.
15.....	Fred W. Wuest.....	2103 Market street.
16.....	Jno. B. Ross.....	2010 Market street.
17.....	Edward O'Hearn.....	3 North Twenty-first street.
18.....	Jerry King.....	33 South Twentieth street.
19.....	Ely Solomon.....	5 South Twenty-first street.
20.....	Wm. Lord.....	2105 Eugene street.
21.....	Thomas Owens.....	2025 Eugene street.
22.....	Wm. Summer.....	2025 Eugene street.
23.....	Edward Bernard.....	2136 Walnut street.
24.....	Ingram J. Crow.....	2 South Twenty-first street.
25.....	J. M. White.....	2131 Market street.
26.....	Edw. E. Walsh.....	2019½ Eugene street.
27.....	Patrick Clark.....	2025 Eugene street.
28.....	Perry Burton.....	2119 Eugene street.
29.....	John Davey.....	2136 Walnut street.
30.....	Thos. E. Griffin.....	2105 Eugene street.
31.....	Patrick McMahon.....	4 South Twenty-first street.
32.....	Niely Birmingham.....	3 North Twenty-first street.
33.....	Jno. S. Howard.....	2109 Eugene street.

PRECINCT 4, WARD 14—Continued.

Number.	Name.	Address.
34	Jos. Miller	2136 Walnut street.
35	Patrick Malone	2136 Walnut street.
36	Matthew O'Brien	2111 Eugene street.
37	Warner Sparks	2121 Eugene street.
38	Patrick Madock	2009 Eugene street.
39	Chas. A. Jordan	2133 Eugene street.
40	Napoleon Lyons	15 South Twenty-first street.
41	William Lewis	2019 Walnut street (rear).
42	S. J. McEvoy	2138 Market street.
43	B. R. Goldson	2011 Walnut street.
44	William Carey	2023 Eugene street.
45	Amazire Pates	2027 Walnut street.
46	Harry Knapp	2009 Market street.
47	Michael Haley	2009 Market street.
48	William Ready	2023 Eugene street.
49	G. Landers	2019 Walnut street.
50	Pat Taffe	2023 Eugene street.
51	Frank Atz	108 North Twenty-first street.
52	William Nugent	2015 Walnut street.
53	Fred Waters	2012 Walnut street.
54	Arthur Banks	2127 Walnut street.
55	Henry Thomas	2140 Walnut street.
56	William Davis	2125 Walnut street.
57	Edward Howard	2023 Walnut street.
58	W. R. Brown	5 North Twenty-first street.
59	Henry Brown	2015 Walnut street.
60	Frank Geary	2100 Walnut street.
61	Matt Long	2008 Walnut street.
62	Wm. H. Fields	2121 Walnut street.
63	George Young	2100 Walnut street.
64	George Spellman	3 North Twenty-first street.
65	Walter White	2113 Walnut street.
66	Mack Oliver	2027 Walnut street.
67	William Taylor	2027 Walnut street.
68	E. R. Randall	2013 Walnut street.
69	John H. Ross	2015 Walnut street.

Without having finished the fourth precinct of the Fourteenth Ward at 11.10 p. m., further taking of this deposition is adjourned until to-morrow morning at 9 a. m., December 31, 1902.

We will now resume the taking of testimony at 9.35 a. m., December, 1902, in pursuance of adjournment.

PRECINCT 4, WARD 14—Continued.

Number.	Name.	Address.
70	Henry Adams	2027 Walnut street.
71	Chas. Foster	2013 Walnut street.
72	Henry Delaney	2011 Eugenia street.
73	Jeff Green	2027 Walnut street.
74	Jno. W. Johnson	2029 Walnut street.
75	Wm. S. Howard	2017 Walnut street.
76	Thos. Shannon	2107 Eugenia street.
77	Polk Leanders	5 South Twenty-first street.
78	Jos. J. Hauser	2700 Market street.
79	Win Peterson	2020 Market street.
80	Geo. B. Jones	2008 Walnut street.
81	Chas. Boggiano	2039 Walnut street.
82	Jno. J. Conboy, or Canby	10 South Twenty-first street or 8 South Twenty-first street.
83	Peter C. Stephen	2006 Market street.
84	Jno. H. Barry	2123 Walnut street.
85	H. Grimes	2133 Market street.
86	Barney Gratz	2135 Market street.
87	G. D. S. Reese	2009 Eugenia street.
88	Patrick Clark	2015 Eugenia street.
89	R. L. Hasler	2121 Eugenia street.
90	Jas. Devine	2123 Eugenia.
91	Harry Young	2136 Walnut street.
92	Geo. Smith	2025 Eugenia street.
93	Stanley Howard or Howard Stanley	2121 Eugenia street.
94	Everett W. Stephens	2119 Eugenia street.
95	Jeremiah Owens	2136 Walnut street.
96	Jas. Smith	2136 Walnut street.
97	Wm. Phillips	2136 Walnut street.
98	Thos. Newell	2136 Walnut street.

PRECINCT 1, WARD 14—Continued.

Number.	Name.	Address.
99.	Jno. Rodgers	2136 Walnut street.
100.	Michael Murray	2115 Eugenia street.
101.	Thos. King	2015 Eugenia street.
102.	Jno. Beiser	2026 Market street.
103.	Saml. Irby	2033 Eugenia street.
104.	Wm. E. Vaughn	2109 Eugenia street.
105.	Henry O. Williams	2119 Eugenia.
106.	Jno. P. O'Leary	2031 Eugenia.
107.	Theo. Dannert	2135 Market street.
108.	Chas. Sinclair	6 South Twenty-first street,
109.	Chas. Cowley	2016 Market street.
110.	Jos. Gazzolo, jr	2032 Chestnut street.
111.	Ed. R. Schultz	2035 Eugenia street.
112.	W. H. Godfrey	2014 Walnut street.
113.	Jno. Dugan	2136 Walnut street.
114.	Henry Taylor	29 South Twentieth street.
115.	Robt. E. Ryan	2109 Eugenia street.
116.	Jno. L. Gaus	2007 Eugenia street.
117.	Patrick Murphy	2017 Eugenia street.
118.	Patrick J. Manley	100 North Twenty-first street.
119.	Woodson Moore	2115 Walnut street.
120.	Fritz Mais	2006 Market street.
121.	Robt. Peterson	2020 Market street.
122.	P. F. Brums	2006 Market street.
123.	Edwin B. Stewart	2039 Eugenia.
124.	Geo. H. Crawford	2140 Market street.
125.	Wm. Ryan	2014 Eugenia street.
126.	Jacob Johnson	2034 Chestnut street.
127.	Michael Kennedy	2136 Walnut street.
128.	Sam Bauers	2019 Eugenia street.
129.	Jas. Boyle	2136 Walnut street.
130.	Marrie Neuberger	2131 Market street.
131.	Richard Andee	2136 Walnut street.
132.	Wm. Toner	2136 Walnut street.
133.	Fred G. Strabel	2042 Market street.
134.	Henry Wilson	2136 Walnut street.
135.	Jno. Boyd	2103 Market street.
136.	Jas. Richardson	110 North Twenty-second street.
137.	Geo. Maloney	2103 Market street.
138.	Stephen Strawbridge	2012 Walnut street.
139.	Michael Shaughnessy	2019 Eugenia street.
140.	Jas. O'Connor	2105 Eugenia street.
141.	Louis Johnson	2034 Chestnut street.
142.	Patrick Ward	10 South Twenty-first street.
143.	Stanislaus Houser	2014 Market street.
144.	Jno. M. Bree	2007 Eugenia street.
145.	J. A. Lydon	2029 Eugenia street.
146.	Edw. Dowd	2031 Eugenia street.
147.	Edw. Dowd, jr	2031 Eugenia street.
148.	Jas. Dunn	2131 Eugenia street.
149.	Jno. Ryan	2117 Market street.
150.	Jno. Howard	2117 Market street.
151.	Steve Downey	2139 Eugenia street.
152.	Henry M. Givens	25 South Twenty-first street.
153.	Jas. Perry	2115 Walnut street.
154.	Samuel T. McVeigh	2024 Market street.
155.	Albert E. Adderly	2127 Market street.
156.	Wm. Henricks	2123 Market street.
157.	Harry Ledford	2119 Market street.
158.	Tony Ginochio	4 South Twenty-first street.
159.	Gerald Harrison	Hotel Comfort.
160.	Robt. Russell	2011 Walnut street.
161.	Jas. J. Fitzgerald	2133 Walnut street.
162.	Jas. J. Wheland	2037 Eugenia street.
163.	Henry Carr	2025 Eugenia street.
164.	Frank Howard	2004 Chestnut street.
165.	Francis Schine	2006 Market street.
166.	Geo. Williams	2112 Pine street.
167.	Chas. R. Anderson	23 South Twentieth street.
168.	Thos. F. Daley	2101 Market street.
169.	A. W. Washington	2011A Walnut street.
170.	Chas. E. Scott	2011 Walnut street.
171.	T. E. Power	2014 Walnut street.
172.	Robt. Nebel	27 Market street.
173.	Jno. Massett	10 South Twenty-first street.
174.	Louis James Hoesli	2016 Market street.
175.	Henry Kolner	2029 Market street.
176.	Robt. O'Conner	2028 Pine street.
177.	Wm. J. Hart	2102 Market street.
178.	Patrick Casey	108 North Twenty-first street.
179.	Henry A. Gunther	2041 Eugenia street.
180.	Anton Berne, or Berni	2123 Eugenia street, or 2123 Eugenia.
181.	Albert Andris	2007 Market street.

PRECINCT 4, WARD 14—Continued.

Number.	Name.	Address.
182	Jos. Hamilton	2127 Walnut street.
183	Christopher Schmid	2012 Market street.
184	F. R. Brown	5 North Twenty-first street.
185	Walter A. Lord	2105 Eugenia street.
186	Cleane B. Woods	2011 Eugenia street.
187	Jno. Cahill	2011 Eugenia street.
188	Jas. W. Lewis	108 North Twenty-first street.
189	Jno. J. Griffin	2028 Market street.
190	Frank Haile	2123 Walnut street.
191	Thos. Turner	2129 Walnut street.
192	Wm. Burnham	3 North Twenty-first street.
193	Ben. Colkrell	2124½ or 2104½ Chestnut.
194	Geo. R. Jameson	2115 Eugenia street.
195	B. H. Dyckman	3 North Twentieth street.
196	Bert Lindsey	2023 Walnut street.
197	Geo. W. Dashman	2022 Market street.
198	Nick Corrigan	2133 Market street.
199	Sam Hutchinson	7 South Twenty-first street.
200	Harry Hight	5 North Twenty-first street.
201	Perry J. Fobus	2019 Walnut street.
202	Henry Bludd	2017 Walnut street.
203	Dan'l Craig	2019 Walnut street.
204	Jno. Davis	2113 Walnut street.
205	Jas. Moore	2019 Walnut street.
206	I. W. Woodson	2023 Walnut street.
207	Walter Duncan	2133 Market street.
208	Ed. Adams	2019 Walnut street.
209	Robt. Easton	2140 Walnut street.
210	Harry Kendall	2105 Walnut street.
211	J. A. Franklin	2025 Walnut street.
212	Jas. T. Fisher	2125 Eugenia street.
213	Geo. Dunn	2017 Walnut street.
214	Lee Parks	2017 Walnut street.
215	Sam'l Black	2016 Walnut street.
216	Wm. Mallory	2025 Walnut street.
217	Jno. Gooley	2019 Eugenia street.
218	Thos. C. Gooley	2019 Eugenia street.
219	Patrick Casey	2019 or 2011 Eugenia street.
220	Jacob F. Meyer	2023 Market street.
221	Chas. F. Meyer	2023 Market street.
222	Wm. Parish	2109 Walnut street.
223	Jno. Gray	108 North Twenty-second street.
224	Henry Clay	2023 Eugenia or Walnut street.
225	W. W. Williams	2024 Pine street.
226	Frank Lipiner	2032 Market street.
227	Oscar Toure	3 North Twenty-first street.
228	Chas. Meyer	2029 Market street.
229	Louis Klein	2029 Market street.
230	August A. Broeker	2042 Market street.

Q. Will you turn to the certificate of the judges and clerks and read the result of the election held in the said precinct of said ward and read therefrom the result of the election certified by the judges and clerks for members of Congress for the short term?—A. Jas. J. Butler received 189 votes; Geo. R. Wagoner received 49 votes. In the other book Jas. J. Butler received 179 votes and Geo. R. Wagoner received 49 votes.

Q. How many judges and clerks signed each book?—A. Four judges, two clerks.

Q. Will you now produce and read from the poll book of the eighth precinct of the Fourteenth Ward the name, number, and address of each voter contained therein, beginning with No. 1 and reading consecutively down to the close thereof?

Mr. WALSH. The contestee has allowed this method of taking depositions for the reason that he is endeavoring to facilitate the work in this investigation, so to avoid the charge so frequently made of obstruction and efforts to consume time. The contestee fully realizes how ridiculous and impossible it is for the notary, W. D. Moore to take the two separate and distinct depositions of Messrs. Jourdan and Sloan on the one hand, and Messrs. Masterson and Rinkel on the other.

EIGHTH PRECINCT, FOURTEENTH WARD.

Number.	Name.	Address.
1.	Carroll, J. A.	2311 Eugenia street.
2.	Harney, Wm.	105 North Twenty-third street.
3.	Ryan, M. J.	109 North Twenty-third street.
4.	Turpin, Thos.	2221 Market street.
5.	Teaschluise, J. M.	2235 Market street.
6.	Ross, W. T.	3 South Twenty-second street.
7.	Dubrinsky, A.	2300 Market street.
8.	Beverly, Thos. II.	2222 Market street.
9.	Gaus, Thos. H.	14A South Twenty-third street.
10.	Washington, Harry	4 North Jefferson avenue.
11.	Winn, Wm. H.	2219 Walnut street.
12.	Bryan, or Prior Nelson	11 South Twenty-third street.
13.	Morrisy, E. J.	2327 Walnut street.
14.	Myer, J. C.	2200 Walnut street.
15.	Griffith, J. M.	2317 Walnut street.
16.	Denning, H.	2329 Eugenia street.
17.	Robinson, S. C.	105 South Twenty-second street.
18.	Petri, or Petring, C.	4 South Jefferson avenue.
19.	Branch, J. G.	2204 Walnut street.
20.	Bush, Thos.	2223 Walnut street.
21.	Jones, G. H.	2223 Walnut street.
22.	Flohr, M.	2301 Eugenia.
23.	Smith, F.	2329 Chestnut street.
24.	Burket, J.	2205 Eugenia street.
25.	Line, L.	105 North Twenty-third street.
26.	Griffin, Jas.	2317 Walnut street.
27.	Hoeden, or Holden, E.	2320 Market street.
28.	William Williams.	2303 Chestnut.
29.	G. W. Newman	2319 Eugenia street.
30.	W. G. Bramert or Brault.	16A South Twenty-third street.
31.	C. E. Scott	2230 Walnut street.
32.	Eason, John	2230 Walnut street.
33.	Kappel, C. O.	2361 Market, or 2306 Walnut street.
34.	Judy, C. W.	2247 Walnut street.
35.	Jesse Cooper	2221 Market street.
36.	Doe C. Smith	2223 Walnut street.
37.	Skinner, Wm.	18A South Twenty-third street.
38.	Albert Flori.	2341 Eugenia street.
39.	G. L. Werner	2309 Walnut street.
40.	Dunn, Dennis	2327 Eugenia street.
41.	H. M. Held	2205 Eugenia street.
42.	Turner, Chas.	11 South Twenty-third street.
43.	Johnson McArthur.	6 South Jefferson avenue.
44.	Euler, W. L.	2332 Market street.
45.	Peterson, S. M. or Geo	2341 Market or 2314 Market street.
46.	Euler, L.	2332 Market street.
47.	Drew, J. M.	2349 Market street.
48.	Donnewald, H.	5 South Janeton or Jameston street.
49.	Schneider, Brening	2332 Market street.
50.	Carroll, J. A.	2311 Eugenia street.
51.	Anderson, L. A.	2327 Market street.
52.	Sharp, J.	2300 Chestnut street.
53.	King, H. or W.	2323 Eugenia street.
54.	Benton, G. M.	2311 Chestnut street.
55.	Dappe, L.	2340 Market street.
56.	Schopper, E.	2309 Eugenia street.
57.	Sullivan, C.	2330 1/2 Market street.
58.	Hoesle, D.	10A South Twenty-third street.
59.	Ben Huston.	109 North Twenty-third street.
60.	Ed. Hunt.	2306 Chestnut street.
61.	M. Haban	2231 Walnut street.
62.	W. King.	2323 Chestnut street.
63.	W. P. Kelley.	2223 Eugenia street.
64.	Jno. Hill	109 North Twenty-third street.
65.	Martin C. Hurley.	2214 Pine street.
66.	Lawrence O'Brien	1 South Twenty-third street.
67.	Jno. O'Reilly.	109 North Twenty-third street.
68.	Frank Scott.	2306 Chestnut.
69.	Wm. Simpson.	2247 Eugenia street.
70.	Martin C. Scott.	2235 Market street.
71.	Edw. Springs.	2335 Market street.
72.	Wilkins, Stephens.	2229 Market street.
73.	Jno. Smith	2229 Market street.
74.	Frank Smith.	2229 Market street.
75.	Tom Snow	2323 Market street.
76.	Geo. Smith	2222 Market street.
77.	Jack Smith.	2329 Market street.
78.	Wash Lee, or Hayes, Jno. W.	4 South Jefferson avenue, or 2 South Jefferson.
79.	Edw. Long, or Wash Lee	2319 Chestnut, or 4 South Jefferson.
80.	Sam H. Lee, or Edw. Long	2306 Chestnut, or 2319 Chestnut.
81.	Jno. W. Hayes, or Sam H. Lee.	2 South Jefferson, or 2306 Chestnut.
82.	Edw. Lewis	2223 Chestnut, or 2322 same.

EIGHTH PRECINCT, FOURTEENTH WARD—Continued.

Number.	Name.	Address.
83.	Wilson Laey	2210 Walnut street.
84.	Albert Lewis	2357 Chestnut street.
85.	Ed. Lewis	109 North Twenty-third street.
86.	Jos. Leroy	24 South Twenty-third street.
87.	Henry Rode, or Jos. Roberts	2300 Chestnut street, or 2339 Eugenia.
88.	Dennis Roberts, or Henry Rode	2329 Chestnut street, or 2306 Chestnut.
89.	Is blank, other book Dennis Roberts	2329 Chestnut street.
90.	Jno. Rice	2201 Walnut street.
91.	Wm. A. Rice	2207 Walnut street.
92.	Geo. Richardson	20A South Twenty-third street, or 2319 Chestnut.
93.	David Robertson	20A South Twenty-third street.
94.	C. L. Robertson	2360 Chestnut street.
95.	Sam Robeson	2212 Walnut street.
96.	Green Riser	2314 Chestnut street.
97.	Jas. R. Reynolds	2341 Chestnut street.
98.	F. Davis	2229 Chestnut street.
99.	Lewis Drake	2221 Walnut street.
100.	Albert Dickson	2211 Walnut street.
101.	F. Dobios	2209 Market street.
102.	Jno. Devlin	2306 Chestnut street.
103.	Ed. Davis	2202 Chestnut street.
104.	Henry L.	2201 Eugenia street.
105.	Louis Diehl	2201 Eugenia street.
106.	Wm. Davis	2231 Chestnut street.
107.	Jno. Davis	2230 Chestnut street.
108.	Geo. R. Davison	2330 Walnut street.
109.	Geo. R. Kuen	2241 Walnut street.
110.	Peter Rooney	2322 Pine street.
111.	Wm. E. Reed	2320 Chestnut street.
112.	Dan Ryan	2315 Eugenia street.
113.	Rothmary, or Rothmar, Paul	2245A Eugenia street.
114.	Russell, Theodore	2357A Market street.
115.	W. F. Ross	3 South Twenty-second street.
116.	Steve Ryan	18 South Twenty-first street.
117.	W. Carroll	2321 Walnut street, or 2311 Eugenia.
118.	Thos. J. Craddock	2321 Walnut street.
119.	W. J. Carey	2310½ Pine street.
120.	H. T. Shaw	2319 Eugenia street.
121.	Bart Smith	2335 Market street.
122.	Wm. Sullivan	2320 Chestnut street.
123.	C. H. Green	2305 Market street.
124.	J. J. Gallagher	2324 Pine street.
125.	Jno. Grady	2216 Chestnut street.
126.	Jas. Morris	109 North Twenty-third street.
127.	Chas. Milan	2316 Chestnut street.
128.	Jas. Marshall	2205 Walnut street.
129.	Sam Moore	2202 Chestnut street.
130.	E. Medina	15 South Twenty-second street.
131.	Frank Mason	2319 Chestnut street.
132.	E. Malone	2307 Market street.
133.	H. Reis	2319 Eugenia street.
134.	T. Reamy	2328 Chestnut street.
135.	L. Rogers	2357 Market street.
136.	Lee Robinson	19 South Twenty-second street.
137.	E. Pope	2310 Pine street.
138.	L. Parker, or Solomon Parker	2303 Market street.
139.	J. Watts	2221 Walnut street.
140.	E. Woodson	2209 Market street.
141.	S. Wallace	2316 Market, 61 same.
142.	J. W. McKernan	2327 Eugenia street.
143.	J. Bryer	2307 Eugenia street.
144.	T. J. Belcher	2231 Chestnut street.
145.	J. H. Bassett	2339 Chestnut street.
146.	G. J. Benson	2314 Market street.
147.	A. Baldwin	2349 Market street.
148.	J. Box	2213 Market street.
149.	H. B. Beaus	2341 Market street.
150.	M. Bailey	2321 Chestnut street.
151.	P. R. Delay	2222 Market street.
152.	T. Davison	2347 Market street.
153.	F. Devlin	2321 Chestnut street.
154.	Chas. Koppel	2351 Market street.
155.	Geo. M. Ring	13 South Twenty-second street.
156.	J. Perkins	109 North Twenty-third street.
157.	J. D. Harris	2303 Chestnut street.
158.	Al Bapon, or Patton	2329 Chestnut street.
159.	Robert Price	2207 Market street.
160.	Jas. Pierson	2341 Chestnut street.
161.	Robt. Walker	2301 Market street.
162.	Robt. White	2214 Market street.
163.	Davis Washington	2227 Market street.
164.	W. J. Williams	2218 Walnut street.

EIGHTH PRECINCT, FOURTEENTH WARD—Continued.

Number.	Name.	Address.
165.	J. L. Woody	2249 Eugenia street.
166.	L. Webb, or Jas. Webb	2352 Chestnut street.
167.	Chas. Williams	2211 Market street.
168.	Wm. Wells	2235 Market, or 2335 same.
169.	Wm. Williams, or Wm. Madison	2318 Pine street.
170.	Chas. Petri	7 South Jefferson, or 4 South Jefferson.
171.	Geo. Payne	109 North Twenty-third street.
172.	Chas. R. Peters	2229 Walnut, or 2225 same.
173.	W. J. Powers	18A South Twenty-third street.
174.	W. Putman	2202 Chestnut street.
175.	Ed. Perkins	2327 Chestnut street.
176.	A. Thompson	2225 Market street.
177.	M. J. Hines	2360 Chestnut street.
178.	Archie Farrell	2324 Chestnut street.
179.	Joe Daneri	2000 Chestnut street, or 2200 same.
180.	J. D. Smith	2323 Eugenia street.
181.	J. Warner	2358 Chestnut street.
182.	H. A. Walton	2301 Eugenia street.
183.	Claude Wilson	2223 Walnut street.
184.	Victor Podesti	2243 Walnut street.
185.	J. J. Phillip	2321 Eugenia street.
186.	M. T. Churchill	125 North Twenty-third street.
187.	Chas. Callaran	1005 North Twenty-third street, or 105 North Twenty-third.
188.	R. B. Stovale	2300 Market street.
189.	A. Hoseler	10 South Twenty-third street.
190.	H. Hoffman, or Theodore	12 South Twenty-third street.
191.	Jno. Hupper	2209 Walnut street.
192.	Thos. Hayes	2235 Market street.
193.	Jno. F. Hickey	2335 Walnut, or Market street.
194.	M. Hogan	2235 Walnut street.
195.	M. Hawkins, or W. K. Hawkins	22 South Twenty-third street.
196.	M. Holland	2306 Chestnut street.
197.	L. Hardy, or Harty	2235 Market street.
198.	H. Howard	2219 Walnut, or 2209 same.
199.	A. Lancaster	3 South Twenty-third street.
200.	Ed. Lewis	2223 Market street.
201.	Jno. Cunningham	2317 Eugenia.
202.	S. Beannington	2302 Walnut street
203.	L. D. Brown	2325 Eugenia street.
204.	W. Brown	2339 Market street.
205.	C. S. Boice	2223 Eugenia street.
206.	Al. Burk	2333 Market street.
207.	Chas. Quinn	2200 Chestnut street.
208.	H. Prentiss	2214 Walnut street.
209.	W. Mallory	2331 Market street.
210.	M. Siegel	2300 Chestnut street.
211.	Phil Willock	2300 Chestnut street.
212.	H. B. Bean	2341 Market street.
213.	G. F. Rahdman	111 South Twenty-second or 105 same.
214.	W. Wolf	7 South Twenty-second street.
215.	Benson Cobb	2217 Chestnut street.
216.	W. Gazzolo	9 North Twenty-third street.
217.	W. Hudson	2200 Walnut or 2203 same.
218.	Jim Ray	2321 Chestnut street.
219.	O. L. Todd	7 North Twenty-second street.
220.	B. A. Brown	2309 Eugenia street.
221.	W. J. Brolt	10 South Twenty-third street.
222.	T. H. Killoren	2354 Market street or 2334 same.
223.	A. Charleston	2326 Pine Street.
224.	S. Charleston	2326 Pine.
225.	D. Lucas	2219 Walnut or 2209 same.
226.	L. Link	105 North Twenty-third street.
227.	E. Lee	2222 Market street.
228.	Wm. Pass	19 South Twenty-second street.
229.	H. Perry	2343 Chestnut street.
230.	J. Owens	2216 Walnut or 2241 same.
231.	J. O'Neil	109 North Twenty-third street.
232.	J. Harris	2314 Chestnut street.
233.	J. Harris	2225 Market street.
234.	C. Harris	2247 Market or Walnut street.
235.	J. D. Howard	2347 Eugenia street.
236.	Ed. Hasker	2205 Eugenia street.
237.	J. Flannery	2303 Chestnut street.
238.	L. S. Fitzgerald	2360 Chestnut street.
239.	L. King	2306 Chestnut street.
240.	J. Kelley	2329 Chestnut street.
241.	A. B. Rider	2330 Market street.
242.	Wm. Bueh	2305 Walnut street.
243.	A. M. Randolph	2327 Eugenia street.
244.	H. B. Randolph	105 South Twenty-third street.
245.	H. H. Ray	2219 Eugenia street.
246.	Wm. Reed	2230 Chestnut street.

EIGHTH PRECINCT, FOURTEENTH WARD—Continued.

Number.	Name.	Address.
247.	E. Link	2303 Eugenia street.
248.	J. Little	1 South Twenty-third street.
249.	J. Thomas	2229 Chestnut street.
250.	J. Thompson	2200 Chestnut street.
251.	A. Thomas	2208 Chestnut street.
252.	R. Thomas	7 South Twenty-third street
253.	L. Taylor	2320 Chestnut street.
254.	J. A. Taylor	2209 Market street.
255.	Wm. Buckner	2219 Walnut street.
256.	F. E. Brown	2303 Market street.
257.	A. Brown	2300 Market street.
258.	H. Brown	2321 Chestnut street.
259.	Jerry Black	2343 Chestnut street.
260.	F. Black	2343 Chestnut street.
261.	J. Britt	2202 Chestnut street.
262.	S. Brown	2323 Chestnut street.
263.	F. W. Brown	2210 Walnut street.
264.	H. A. Bell	2321 Eugenia or 2221 same.
265.	L. A. Broton	2320 Market street.
266.	Wm. Boggs	2217 Market street.
267.	West Butler	2343 Chestnut street.
268.	H. J. Eden	2219A Walnut street.
269.	Jno. English	2209 Market street.
270.	C. Elliott	2215 Market or 2215 same.
271.	J. J. Edwards	2219 Walnut street.
272.	Jno. Johnson	2231 Chestnut street.
273.	Geo. Jones	2239 Chestnut street.
274.	Ed. Jackson	2306 Chestnut street.
275.	Ben Johnson	2206 Chestnut street.
276.	L. Johnson	2343 Chestnut street.
277.	E. Jones	2231 Chestnut street.
278.	Wm. Johnson	2320 Chestnut (only one address given).
279.	J. Jones	2229 Chestnut street.
280.	J. Jones	2225 Market street.
281.	J. Johnson	2221 Eugenia street.
282.	F. G. Jones	2306 Chestnut street.
283.	O. E. Jones	2233 Eugenia street.
284.	R. Jackson	2230 Chestnut street.
285.	A. Jones	2215 Market street.
286.	J. Jones	2227 Market street.
287.	C. Johnson	2314 Chestnut street.
288.	Wm. Jones	2209 Market street.
289.	A. Jones	2235 Market street.
290.	R. Jackson	2203 Walnut street.
291.	W. E. O'Connor	2319 Eugenia street.
292.	Wm. O'Neil	109 Twenty-third street.
293.	J. A. Reynolds	2235 Market street.
294.	L. Robinson	2212 Walnut street.
295.	Green River	2314 Chestnut street.
296.	G. J. Ryan	11 South Twenty-second street.
297.	C. E. Ryan	2322 Pine street.
298.	C. Redd	2207 Walnut street.
299.	J. H. Redmond	2223 Market street.
300.	Jno. Morse	2306 Chestnut street.
301.	R. Mooney	2200 Chestnut street.
302.	Thos. Morgan	2231½ Walnut street.
303.	Jno. Hill	109 North Twenty-third street.
304.	C. A. Hoffman	12 South Twenty-second street.
305.	L. Harter	116 South Twenty-third street.

I now adjourn the taking of evidence for recess from 12.45 p. m., December 31, until 2 p. m., December 31, 1902.

I now resume taking of testimony at 2.20 p. m., December 31, 1902, pursuant to adjournment.

At the request of the counsel for the contestant, with the consent of Commissioner Wood, the contestee making no objection thereto, Mr. Jourdan, who has heretofore been reading from the poll books in this deposition, while Mr. Sloan has held the other book for comparison, is withdrawn from this deposition, and the same is now to continue with the testimony of Mr. Sloan alone, he to read from one book, and at the same time compare with the other, holding at the time both books.

EIGHTH PRECINCT, WARD 14—Continued.

Number.	Name.	Address.
306.....	H. W. Harris	2247 Walnut street.
307.....	C. Haney	2329 Chestnut street.
308.....	C. Brown	2321 Chestnut street.
309.....	H. Barder	2227 Chestnut street.
310.....	A. Brooks	2217 Walnut street.
311.....	Dan Curtiss	2209 Market.
312.....	Wm. Cain	2209 Market street.
313.....	Lem Curl	2209 Market street.
314.....	W. Close	2343 Chestnut street.
315.....	W. Cain	2303 Chestnut street.
316.....	Willis Clark	2336 Chestnut street.
317.....	I. Curl	2329 Market street.
318.....	R. Codias	18A South Twenty-third street.
319.....	Ed. Lee	2215 Market street.
320.....	C. Scott	2209 Market street.
321.....	A. Shipton	7 South Twenty-third street.
322.....	Wm. Ward	109 North Twenty-third street.
323.....	Jno. ward	109 North Twenty-third street.
324.....	E. Well	2209 Market street.
325.....	J. Wittler	2209 Market street.
326.....	J. White	2329 Chestnut street.
327.....	Wm. White	2329 Chestnut street.
328.....	R. C. Wells	2343 Market street.
329.....	F. F. Weaver	2245 Eugenia street.
330.....	R. A. Waller	2301 Eugenia street.
331.....	J. T. Wilson	2301 Eugenia street.
332.....	H. J. Williams	2329 Chestnut street.
333.....	C. E. Williams	2320 Chestnut street.
334.....	A. Woods	2247 Eugenia street.
335.....	M. W. Williams	2220 Walnut street.
336.....	G. Williams	2219 Market street.
337.....	J. Woods	2209 Market street.
338.....	Wm. Wagner	2230 Chestnut street.
339.....	J. Regis	109 North Twenty-third street.
340.....	H. J. Wolf	2311 Walnut street.
341.....	N. F. Warren	2319 Chestnut street.
342.....	G. Harris	2247 Walnut street.
343.....	H. Hug	112 South Jefferson.
344.....	L. D. Head	2217 Walnut street.
345.....	A. Harter	2326 Walnut street.
346.....	J. McLellan	2205 Walnut street.
347.....	W. McKeown	2231 Pine street.
348.....	R. McGee	2361 Market street.
349.....	P. McCoy	18 South Twenty-third street.
350.....	W. H. McHenry	1124 North Jefferson.
351.....	R. McDonell	2329 Eugenia street.
352.....	Wm. J. McTaffee	2302 Chestnut street.
353.....	J. O. Pettiford	2325 Market street.
354.....	J. A. Pritchett	2325 Market street.
355.....	R. Streets	2305 Walnut street.
356.....	G. Simpson	2221 Walnut street.
357.....	W. Shy	2331 Market street.
358.....	C. F. Stark	2306 Chestnut street.
359.....	H. Sloane	2329 Chestnut street.
360.....	J. Stevenson	2349 Market street.
361.....	C. J. Starks	2219 Market street.
362.....	J. Sweed	2233 Market street.
363.....	F. Stewart	2219 Market street.
364.....	J. Scott	2205 Walnut street.
366.....	L. Strand	2314 Chestnut street.
367.....	A. B. Smith	2333 Eugenia street.
368.....	H. Sample	2231 Walnut street.
369.....	J. E. Stewart	2213 Walnut street.
370.....	H. T. Shaw	2319 Eugenia street.
371.....	Wm. Simpson	2247 Eugenia street.
372.....	J. Sharp	2300 Chestnut street.
373.....	T. Sneed	2211 Walnut street.
374.....	A. M. Swanson	2310 Walnut street.
375.....	Wm. Sullivan	2320 Market street.
376.....	Ed. J. Smith	2223 Market street.
377.....	Jno. Shafer	2229 Market street.
378.....	H. Willison, or Williams	2316 Walnut street.
379.....	F. Walker	7 North Twenty-second street.
380.....	Jim Williams	2209 Walnut street.
381.....	M. Willis	2339 Chestnut street.
382.....	A. Washington	2321 Chestnut street.
383.....	E. Whalen	2321 Walnut street.
384.....	T. Watkins	2310 Pine street.
385.....	Hall Andersen	2327 Market street.
386.....	Wm. Rayburn	2330 Market street.
387.....	J. Anderson	2318 Walnut street.
388.....	Ed. Allen	2303 Market street.
389.....	A. Atkins	2227 Market street.

EIGHTH PRECINCT, WARD 11—Continued.

Number.	Name.	Address.
390.	C. L. Allen	2227 Walnut street.
391.	Geo. Allen	2317 Market street.
392.	Geo. Alexander	2230 Walnut street.
393.	B. Brooks	2301 Chestnut street.
394.	J. J. Canty	2360 Chestnut street.
395.	H. J. Curtis	123 South Twenty-third street.
396.	Geo. Cunningham	2315 Eugenia street.
397.	Geo. P. Carter	2325 Eugenia street.
398.	V. L. Call, or Cole	12A South Twenty-third street.
399.	B. Cobbs	2217 Market street.
400.	F. Curran	109 North Twenty-third street.
401.	J. Crawford	2321 Chestnut street.
402.	M. J. Grady	2317 Eugenia street.
403.	C. H. Gunther	2325 Market street.
404.	C. Gross	109 North Twenty-third street.
405.	G. Gross	109 North Twenty-third street.
406.	Jno. Grady	2318 Walnut street.
407.	Frank Haban	2320 Chestnut street.
408.	J. Taylor	109 North Twenty-third street.
409.	Jno. Taylor	109 North Twenty-third street.
410.	T. Toel	2299 Market street.
411.	E. Tracy	109 North Twenty-third street.
412.	F. Thomas	2301 Market street.
413.	Jno. Thomas	2209 Chestnut street.
414.	G. T. Thompson	3 South Twenty-seventh street.
415.	Ben. Young	2329 Chestnut street.
416.	Geo. S. Young, or Leo	2245 Eugenia street.
417.	Frank Weimer	2219 Market street.
418.	J. Johnson	2335 Market street.
419.	W. Jackson	2316 Chestnut street.
420.	T. W. James	7 South Twenty-second street, or 7 North Twenty-third street.
421.	June Al	2319 Chestnut street.
422.	Jones Henry	2225 Market, or 2325 same.
423.	Kreps, Geo.	24 South Twenty-third street.
424.	Killian, J. D.	109 North Twenty-third street.
425.	J. Madison	2325 Market street.
426.	H. L. Franklin	2344 Chestnut street.
427.	R. J. Reynolds	2303 Chestnut street.
428.	J. Leroy	21 South Twenty-third street.
429.	Wm. A. Machacek	2231 Chestnut street.
430.	R. C. Reynolds	2335 Pine street.
431.	D. W. May	2303 Chestnut street.
432.	G. W. Byrn	2200 Chestnut street.
433.	D. J. Byrn	2200 Chestnut street.
434.	J. T. Edwards	2209 Walnut street.
435.	Pat McCann	2307 Walnut street.
436.	Schaab, F. W.	2303A Walnut street.
437.	Harris Grenberg	4 North Jefferson.
438.	Frank Wolf	7 South Twenty-second street.
439.	A. J. L. Oppenheim	7 South Twenty-second street.
440.	Chas. St. Martin	2200 Market street.
441.	Jno. Myers	4 West Jefferson avenue.
442.	Jno. W. Heins	2334 Walnut street.
443.	L. C. Burkertt	2205 Eugenia street.
444.	Geo. L. Lapsley	2310 Pine street.
445.	P. B. Randall	2216 Walnut street.
446.	W. D. McNicholas	2247 Walnut street.
447.	Fred Sopp	2313 Walnut street.
448.	Frank Broan	2306 Chestnut street.
449.	Wm. Boyd	2221 Walnut street.
450.	Williams, Edw.	2321 Chestnut street.
451.	Maynard, H. S.	2339 Eugenia street.
452.	Granby, A. D.	2333 Market street.
453.	June, E. D.	2322 Pine.
454.	Belcher, M. J.	2322 Pine street.
455.	Robt. Thomas	7 South Twenty-third street.
456.	C. F. Grimes	14 South Twenty-third street.
457.	L. Thomas	2329 Market street.
458.	G. H. Dunnewald	5 South Jameston street.
459.	Chas. Alberts	2339 Market street.
460.	Geo. Bacon	2205 Eugenia.
461.	F. Champagne	7 North Twenty-second street.
462.	F. Waller	2301 Market street.
463.	J. W. Cambrill	2326 Pine street.
464.	J. E. Davenport	2329 Chestnut street.
465.	M. J. Grady	2247 Eugenia street.
466.	M. F. Dooley	2318 Pine street.
467.	H. J. Vesper	2305 Walnut street.
468.	H. R. Kelley	9 North Twenty-third street.
469.	Frank Whippel	2340 Pine street.
470.	Wm. Atwood	2301 Walnut street.
471.	J. Head	109 North Twenty-third street.

EIGHTH PRECINCT, WARD 14—Continued.

Number.	Name.	Address.
472	D. Fox	2317 Eugenia street.
473	P. Raney	2328 Chestnut street.
474	J. Thompson	2229 Chestnut street.
475	L. Gabarano	2200 Chestnut street.
476	H. A. Walters	2301 Eugenia street.
477	J. Hanley	116 South Twenty-third street.
478	P. Loughlin	2330 Market street.
479	W. Ryan	109 North Twenty-third street.
480	J. Stipes	2300 Chestnut street.
481	D. A. Easter	2329 Chestnut street.
482	A. Burke	2333 Market street.
483	Sam Bramley	2313 Market street.
484	C. A. Anglen	2332 Walnut street.
485	Wm. Basnell	2346 Chestnut street.
486	D. F. Byrne, or Alumn, Geo	2334 Chestnut street, 2305, Chestnut.
487	Geo. Alumn	2306 Chestnut street.
488	J. W. Eschbeck	2339 Eugenia street.
489	R. P. Fuqua	2318 Pine street.
490	A. Friehly	2359 Market street.
491	Frank Jones	2229 Chestnut street.
492	Wm. Jones	2219 Market street.
493	Ed. Kelley	2303 Chestnut street.
494	Geo. Kay	2205 Walnut street.
495	H. King	2321 Eugenia street.
496	Wm. J. Keating	2235 Market street.
497	F. W. Lassmann	2311 Walnut street.
498	Ed. Lewis	2314 Chestnut street.
499	Jas. O'Brien	2318 Chestnut street.
500	Joe Perkins	2309 Chestnut street.
501	C. B. Pinkney	2319 Walnut street.
502	H. P. Randle	115 South Twenty-third street.
503	Geo. J. Reid	2319 Chestnut street.
504	F. R. Raun	2201 Eugenia street.
505	Fred Reinwald	11 South Twenty-second street.
506	C. Reed	2207 Walnut street.
507	A. Talbot	2221 Walnut street.
508	J. H. Thomas	7 South Twenty-third street.
509	Moses Foston	2229 Chestnut street.
510	Frank Tutt	2306 Chestnut street.
511	Joe Thompson	2227 Market street.
512	D. Thomas	2215 Market street.
513	W. Thomas	2314 Chestnut street.
514	A. True	12A South Twenty-third street.
515	Jno. D. Rane	2211 Market street.
516	Geo. A. Dorenis	2328 Pine street.
517	Ed. A. Driscoll	2310 Walnut street.
518	H. J. Dunlap	2235 Market street.
519	Jas. Daley	2303 Chestnut street.
520	Wm. Dodd	2209 Market street.
521	Ed. J. Davis	2203 Eugenia street.
522	Dan Daley	2303 Chestnut street.
523	Wm. E. Jameson	2231½ Walnut street.
524	Wm. Jones	2209 Market street.
525	Edward Mahar	5 South Twenty-third street.
526	Richard Nolan	2235 Market street.
527	Jno. Nay	2209 Market street.
528	Mike Noonan	1 South Twenty-third street.
529	Ralph Nelson	2223 Walnut street.
530	Emmett Sponell	2344 Chestnut street.
531	Jno. W. Shirbault	2339 Chestnut street.
532	Geo. Shalhorn	5 South Twenty-second street.
533	Jos. A. Schitt	2235 Market street.
534	A. T. Vitney	2328 Walnut street.
535	Joe Vernon	2325 Chestnut street.
536	Jno. Williams	2341 Chestnut street.
537	Wm. Brown	2203 Eugenia street.
538	Robt. Byrne	2320 Chestnut street.
539	Marcus Blair	7 North Twenty-third street.
540	F. Brown	2310 Walnut street.
541	J. R. Baron	17 South Twenty-second street.
542	A. J. Cafferatta	5 Jameston street.
543	J. A. Christian	2217 Walnut street.
544	C. B. Cherry	2319 Eugenia street.
545	Lewis Columbus	2355 Market street.
546	Jas. Pullman	2225 Market street.

Q. Will you turn to the certificate of the judges and clerks and read the result of the election held in the said precinct of said ward and read therefrom the result of the election certified by the judges and clerks for members of Congress for the short term?—A. James J. Butler received 492 votes. George C. R. Wagoner received 51 votes.

Q. How many judges and clerks signed each book?—A. Four judges and four clerks signed each book.

Q. Have you in your possession the poll books used in first precinct, Fifth Ward, at the election held November 4, 1902, in the city of St. Louis?—A. Yes.

Q. Are these the books received from Mr. Moore and Mr. Regan you have charge of from the election commission?—A. Yes.

Q. Please take these books and read the numbers, names, and address as recorded therein, beginning with number and continuing in consecutive order to and including the last number.

PRECINCT 1, WARD 5.

Number.	Name.	Address.
1.....	Schroder, Paul J.....	308 South Second street.
2.....	Zumbuhl, Jno.....	119 South Second street.
3.....	Wiebe, Geo.....	201 South Main.
4.....	Fitzgerald, Jas. J.....	219 South Main street.
5.....	Vasey, Jno. W.....	213 Spruce street.
6.....	Obermiller, Joe.....	320 South Second street.
7.....	Bergmeier, Henry.....	214 South Second street.
8.....	Somers, Chas.....	119 Clark avenue.
9.....	Somers, Chas.....	212 South Second street.
10.....	Doherty, Jans.....	213 Elm street.
11.....	Healy, Wm.....	221 South Main street.
12.....	Doody, Thos. T.....	126 Market street.
13.....	Froelich, Henry J.....	308 South Second street.
14.....	Brosman, Ed.....	220 Walnut street.
15.....	Steger, Bernhard.....	210 South Second street.
16.....	Herman Holz.....	210 South Second street.
17.....	Drewes, Henry.....	310 South Second street.
18.....	Geer, Louis.....	310 Walnut street.
19.....	Boyce, Ed.....	211 Elm street.
20.....	Haley, J. T.....	211 Elm street.
21.....	Levin, Jas.....	218 South Second street.
22.....	Walters, Jos. J.....	218 South Second street.
23.....	Taylor, Mike J.....	209 Walnut street.
24.....	Alberti, F. G.....	308 South Second street.
25.....	Hahn, W., jr.....	114 South Third street.
26.....	Lloyd, Jno.....	302 South Second street.
27.....	Schaub, Phil.....	201 South Main street.
28.....	Miller, Chas. F.....	310 South Second street.
29.....	Steiner, Wm. J.....	326 South Second street.
30.....	Tock, M.....	210 South Second street.
31.....	Walter, Wm.....	210 South Second street.
32.....	Kelley, Pat.....	122 Clark street.
33.....	Smetz, A. J.....	300 South Third street.
34.....	White, Ellsworth.....	119 South Second street.
35.....	Bargmann, Lorenz.....	124 South Second street.
36.....	Bevins, Pat.....	225 South Main street.
37.....	Mertens, Rhein.....	323 South Second street.
38.....	Feeley, Pat.....	210 Walnut street.
39.....	Montford, Robt.....	210 South Second street.
40.....	Dunn, Jno.....	127 Spruce street.
41.....	Kelley, Jno. C.....	214 South Second street.
42.....	Riley, John.....	211 Elm street.
43.....	Payne, Otto.....	313 South Second street.
44.....	Lloyd, Wm. A.....	215 Elm street.
45.....	Small, Martin, jr.....	124 Clark street.
46.....	Connors, Mike.....	323 South Second street.
47.....	Riggs, Jno.....	216 Clark street.
48.....	Schmidt, Louis.....	216 Clark street.
49.....	Voeg, Wm.....	115 South Second street.
50.....	Vost, Jno.....	126 Market street.
51.....	Williams, Joe.....	210 South Levee.
52.....	Fry, Jno. M.....	110 South Third street.
53.....	Post, Chas.....	210 South Levee.
54.....	Wolf, Hago.....	126 Market street.
55.....	Wood, E. J.....	126 Market street.
56.....	Donohue, Jno.....	215 Spruce street.
57.....	Dierton, Tiorni.....	212 Walnut street.
58.....	Grady, Jas. O.....	215 Spruce street.
59.....	Collins, Steve.....	115 Clark street.
60.....	Metzger, Hy.....	209 Elm street.
61.....	Wilke, Chas. F.....	208 South Second street.
62.....	Hanson, John G.....	211 South Levee.
63.....	Hoffrangan, Mich.....	210 South Second street.
64.....	Nato, Chas.....	120 South Third street.
65.....	Burke, Thos.....	124 Clark street.
66.....	Bacir, F.....	211 Clark street.
67.....	Back, Geo.....	121 Elm street.
68.....	Schweiger, Peter.....	326 South Second street.
69.....	Menefee, Jas.....	225 South Main street.
70.....	Fitzgerald, Jno.....	304 South Second street.
71.....	O'Brien, Jno. C.....	201 South Main street.

PRECINCT 1, WARD 5—Continued.

Number.	Name.	Address.
72.....	Gilles, Thos.....	210 South Levee.
73.....	Schwarz, Jno.....	206 South Second street.
74.....	Emmenegger, E.....	209 South Second street.
75.....	Hahn, Wm.....	114 South Third street.
76.....	Seegert, August.....	123 Elm street.
77.....	Street, Wm.....	216 South Second street.
78.....	Ed. O'Rourke.....	119 South Second street.
79.....	Morgan, Whaley.....	314 South Main street.
80.....	Deutscher, Oswald.....	200 South Second street.
81.....	Bowman, Jno.....	111 Clark street.
82.....	Hofmester, Geo.....	215 Elm street.
83.....	Hackett, Jno.....	225 South Main street.
84.....	O'Brien, Thos.....	212 South Second street.
85.....	Jones, W. S.....	212 South Second street.
87.....	Small, Thos.....	124 Clark street.
88.....	Hummer, J. H.....	310 South Second street.
89.....	Schaller, Geo.....	210 South Second street.
90.....	Blohme, Henry.....	204 South Second street.
91.....	Huff, Leander.....	26 South Third street.
92.....	Dierio, Tony.....	212 Walnut street.
93.....	Uinack, Jas.....	221 South Main street.
94.....	Kuhs, Wm.....	28 South Third street.
95.....	Weekworth, Jas.....	204 South Second street.
96.....	Warburton, Chas.....	216 Elm street.
97.....	Keller, Frank.....	214 Walnut street.
98.....	Demuth, Her.....	202 South Second street.
99.....	Hermann, Jac.....	109 Clark street.
100.....	Donovan, Mike.....	308 South Third street.
101.....	McDonald, Jno.....	212 South Second street.
102.....	Murphy, Wm.....	212 South Second street.
103.....	Kaufmann, Louis.....	209 South Second street.
104.....	Lloyd, Wm. F.....	303 South Second street.
105.....	Rice, Jas.....	210 South Second street.
106.....	Somer, Alf.....	214 South Second street.
107.....	Evans, Jas.....	212 South Second street.
108.....	Beal, Grant.....	209 South Levee.
109.....	McCune, Jas.....	211 South Main street.
110.....	Stevens, Clarence.....	210 South Levee.
111.....	Shupinsky, Alois.....	121 Elm street.
112.....	Conway, Mike.....	109 Clark street.
113.....	O'Rourke, Jas.....	225 South Main street.
114.....	Moore, Jas.....	122 Clark street.
115.....	Burke, Pat.....	124 Clark street.
116.....	Howard, Tim.....	118 South Third street.
117.....	Sparrow, J. H.....	212 South Second street.
118.....	Sayer, August.....	308 South Second street.
119.....	McDonnell, Mike.....	208 South Second street.
120.....	Kolnel, Tobe.....	208 South Second street.
121.....	Peehe, Wm.....	303 South Second street.
122.....	Hartlipp, Fred.....	308 South Second street.
123.....	Ostermo, Frank.....	225 Elm street.
124.....	Hess, David.....	208 South Second street.
125.....	Warner, Adam.....	210 South Second street.
126.....	Barbari, Jno.....	120 South Third street.
127.....	Baker, Chris.....	202 South Second street.
128.....	Milostan, Chas.....	210 Clark street.
129.....	Backer, Otto.....	223 Elm street.
130.....	Hofmeister, Fred.....	215 Elm street.
131.....	Meyer, Louis.....	210 South Second street.
132.....	Shannon, J. P.....	203 South Main street.
133.....	Mahoney, Mike.....	118 South Third street.
134.....	O'Connell, Martin.....	213 Elm street.
135.....	Jordan, Jas.....	221 South Main street.
136.....	Shannon, Jas.....	221 South Main street.
137.....	Ginpel, H. J.....	212 South Second street.
138.....	O'Malley, Pat.....	111 1/2 Clark street.
139.....	Burke, Q.....	119 South Second street.
140.....	Miller, Henry.....	223 Elm street.
141.....	Miracla, Frank.....	208 South Second street.
142.....	Mitchell, Geo.....	201 South Main street.
143.....	Madfeldt, H. J.....	319 South Second street.
144.....	Ellersieck, Fred C.....	310 South Second street.
145.....	Burns, Ed.....	211 Elm street.
146.....	O'Rourke, Jas. P.....	212 South Second street.
147.....	McGuire, Michael.....	124 Clark street.
148.....	Baer, August.....	319 South Second street.
149.....	Stoll, Walter.....	310 South Second street.
150.....	Kairns, Wm.....	215 Spruce.
151.....	Kohler, Chas.....	118 South Third street.
152.....	Denetrinsg, Gril.....	224 Market street.
153.....	Miller, Frank.....	200 South Second street.
154.....	Joyce, Ed.....	306 South Second street.

Q. Turn to the certificates of judges and clerks and give the votes for the candidates for the short term for the Twelfth Congressional district of Missouri.—A. James J. Butler received 100 votes; G. C. R. Wagoner received 40 votes; H. H. Artz received 14 votes.

Q. State whether certificate is signed by four judges and two clerks.—A. No. They are signed by three judges and two clerks.

Q. Have you in your possession the poll books used in the seventh precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo.?—A. Yes.

Q. These are the books received by you from Mr. Moore and Mr. Reagan, and you have charge of these books for the election commissioners?—A. Yes.

Q. Please take these books and, comparing one with the other, read the names, numbers, and addresses recorded therein, beginning with number 1 and continuing, in consecutive order, to and including last number.

PRECINCT 7, WARD 5.

Number.	Name.	Address.
1.....	Spink, Alfred H.....	104 North Ninth street.
2.....	Heitmanek, Jno.....	813 Market street.
3.....	Myer, Jno. H.....	14½ North Eleventh street.
4.....	Shepard, L. M.....	805 Chestnut street.
5.....	Higgins, Wm.....	5 North Ninth street.
6.....	Evans, E. E.....	5 North Ninth street.
7.....	Bell, D. A.....	5 North Ninth street.
8.....	O'Donnell, Frank.....	811 Market street.
9.....	Murray, J. P.....	1101 Chestnut street.
10.....	Murray, W. J.....	1101 Chestnut street.
11.....	McDermott, Jno.....	812 Chestnut street.
13.....	Wilson, Jno. J.....	921 Market street.
14.....	Thompson, Dan A.....	100 North Twelfth street.
15.....	Lynch, Wm. J.....	110 North Twelfth street.
16.....	Burns, Jno.....	812 Chestnut street.
17.....	McCormick, Chas. J.....	24 North Tenth street.
18.....	Moran, Wm.....	918 Pine street.
19.....	Bell, Jas.....	Imperial Building.
20.....	Woods, Chas.....	911 Chestnut street.
21.....	Duncan, Frank.....	5 North Ninth street.
22.....	Mayes, Jno. L.....	802 Pine street.
23.....	Cockrell, Thos. J.....	9½ North Eighth street.
24.....	O'Brien, Jno. F.....	119 North Ninth street.
25.....	Donaldson, W. J.....	918 Pine street.
26.....	Sexton, Jas.....	105 North Ninth street.
27.....	Fitzpatrick, Joe.....	911 Chestnut street.
28.....	Miller, Chas.....	105 North Ninth street.
29.....	Gaines, W. G.....	1123½ Chestnut street.
30.....	Rosali, A. B.....	713 Chestnut street.
31.....	Hogan, Wm.....	1010 Chestnut street.
32.....	Hickey, Wm. H.....	821 Market street.
33.....	Horn, Moritz.....	116 North Twelfth street.
34.....	Davis, Wm. M.....	1010 Market street.
35.....	Castello, Jos.....	911 Chestnut street.
36.....	Jacobs, Jacob.....	12½ North Eighth street.
37.....	West, Jno. B.....	9 North Eighth street.
38.....	Mat-Field, August D.....	811 Market street.
39.....	Williams, Thos. B.....	918 Pine street.
40.....	Morgan, Chas.....	9½ North Eighth street.
41.....	Koester, Theodore.....	10 North Tenth street.
42.....	Bannon, Andy.....	212 Chestnut street.
43.....	Westerhouse, Gustave.....	1101 Chestnut street.
44.....	Baron, Harry B.....	17 North Ninth street.
45.....	Bay, Louis.....	1101 Chestnut street.
46.....	Grismore, Geo. D.....	108½ North Eighth street.
47.....	Mooney, Jas. F.....	24 North Tenth street.
48.....	Alexander, Arthur W.....	802 Pine street.
49.....	Conran, Isaac.....	108 North Twelfth street.
50.....	Brubaker, F. N.....	1008½ Chestnut street.
51.....	Ross, Anton.....	813 Market street.
52.....	Vaughn, Tim.....	712 Pine street.
53.....	Tucker, J. W.....	900 Chestnut street.
54.....	Ice, A. W.....	802 Pine street.
55.....	Howell, Thos.....	904 Chestnut street.
56.....	Arnold, Jno. T.....	9 North Eighth street.
57.....	Finnegan, W. H.....	5 North Ninth street.
58.....	Lacey, Louis H.....	1115 Chestnut street.
59.....	O'Keefe, Jas.....	819 Market street.
60.....	Madden, Jas. E.....	811 Market street.
61.....	Van Winkle, Albert.....	110 North Twelfth street.
62.....	Davis, David W.....	108½ North Eighth street.

I now adjourn the taking of testimony, for a recess, from 5.45 p. m. December 31 until 7 p. m. December 31, 1902.

I now resume the taking of testimony at 7.25 p. m. December 31, 1902, pursuant to adjournment. Will you continue to read from poll book, seventh precinct, Fifth Ward?

By Mr. WALSH:

Q. During the interval since the adjournment of this reading have these poll books been in your possession, or where have they been?—A. No; they have not been in my possession.

Q. To whom did you deliver those books at adjournment?—A. To P. J. Reagan.

Q. Is Reagan the regularly appointed custodian by the election board for the care of these books during the investigation?—A. There was two men appointed, and I believe he was one of them.

Q. Don't you know, as a fact, that Mr. Reagan is one deputized by the commissioners to look after the paraphernalia used in this investigation?—A. Yes.

Number.	Name.	Address.
63.....	Nicholl, Henry.....	105 North Ninth street.
64.....	Stevens, Edw.....	1107½ Chestnut street.
65.....	Anderson, D. P.....	107 North Ninth street.
66.....	McCarty, P.....	12 North Ninth street.
67.....	Garvey, Jno. H.....	1019 Market street.
68.....	Prince, David D.....	800 Pine street.
69.....	Stanbus, J. B.....	1007 Chestnut street.
70.....	Bruett, Jos. A.....	5 North Eighth street.
71.....	Theuner, Chas. R.....	708½ Pine street.
72.....	Brown, Andrew F.....	822 Pine street.
73.....	Springer, Lee.....	114 North Ninth street.
74.....	Richards, Thos.....	5 North Ninth street.
75.....	Parmenter, Fredk. G.....	102 North Twelfth street.
76.....	Loehr, Chris. C.....	24 North Tenth street.
77.....	Maloney, Wm.....	813 Market street.
78.....	Walsh, Jno.....	812 Chestnut street.
79.....	Coyle, Edw. J.....	822 Pine street.
80.....	Lineon, Chas.....	811 Market street.
81.....	Adams, Jno.....	24 North Tenth street.
82.....	Dryden, Walter B.....	720½ Pine street.
83.....	Kustner, Phillip.....	18 North Ninth street.
84.....	Turner, Wm. F.....	24 North Tenth street.
85.....	Bryant, J. D.....	19 North Tenth street.
86.....	Stoller, Jno. G.....	113 North Eighth street.
87.....	Morris, Jno.....	19 North Tenth street.
88.....	Sharpe, Maxwell.....	5 North Ninth street.
89.....	Stewart, Jno.....	812 Chestnut street.
90.....	Whallan, Jno.....	812 Chestnut street.
91.....	Conklin, L. P.....	116 North Ninth street.
92.....	Albers, Joe.....	813 Market street.
93.....	Wild, Geo.....	105 North Tenth street.
94.....	Harding, Geo.....	106 North Twelfth street.
95.....	Collins, Frank.....	811 Market street.
96.....	Shannon, Jno.....	1010 Chestnut street.
97.....	King, Thos.....	1006 Chestnut street.
98.....	Bradley, Pat.....	811 Market street.
99.....	Murphey, Geo.....	1013 Market street.
100.....	Hoffman, Geo.....	24 North Tenth street.
101.....	Kelly, Jno.....	19 North Tenth street.
102.....	Riley, Jno. W.....	24 North Tenth street.
103.....	Buddin, Henry.....	24 North Tenth street.
104.....	Doyle, Michael.....	811 Market street.
105.....	Gorman, Jas. F.....	110 North Twelfth street.
106.....	Dinsbeer, Jno. D.....	814 Pine street.
107.....	Riley, Frank.....	923 Market street.
108.....	White, Wm.....	5 North Ninth street.
109.....	Sheehan, M. J.....	1007 Chestnut street.
110.....	Rath, Fred.....	105 North Tenth street.
111.....	Rutledge, W. D.....	802 Pine street.
112.....	Caldwell, D. F.....	918 Pine street.
113.....	Nordhoff, Rudolph.....	1105 Chestnut street.
114.....	Burns, Pat.....	1013 Market street.
115.....	Green, Wm.....	1013 Market street.
116.....	Layne, J.....	1103 Chestnut street.
117.....	Chapman, Dennis.....	5 North Ninth street.
118.....	Backer, Fred.....	812 Chestnut street.
119.....	Carroll, Thos. F.....	1013 Market street.
120.....	Koelseh, Phillip.....	813 Market street.
121.....	Modra, Jno.....	110 North Twelfth street.
122.....	Carter, S. S.....	805 Chestnut street.
123.....	Bagnell, Jno.....	110 North Twelfth street.
124.....	Carroll, Jno.....	119 North Ninth street.
125.....	Jansen, Henry.....	5 North Eighth street.
126.....	Osborne, Wm. J.....	810 Chestnut street.

Mr. WALSH. The contestee's attorney at this point desires to call attention to the fact that Mr. Sloan is testifying as to the contents of the poll books from the seventh precinct of the Fifth Ward and endeavoring to make comparisons for this record from both at the same time.

Mr. KINSEY. Contestant's counsel, in reply, states that they have already answered the statement made by Mr. Walsh in other parts of the record.

Number.	Name.	Address.
127.	Gleyre, Fred A	718 Chestnut street.
128.	Haley, Jas.	813 Market street.
129.	Cronin, Frank	5 North Ninth street.
130.	Goodheart, E. L.	800 Pine street.
131.	Brown, Thos.	1013 Market street.
132.	Williams, Frank	5 North Ninth street.
133.	Brugel, Gus	810 Chestnut street.
134.	Groteguth, Geo.	106 North Twelfth street.
135.	Norton, Jas.	813 Market street.
136.	Howell, Jno.	5 North Ninth street.
137.	Feidler, Fred	24 North Tenth street.
138.	Collins, Jas.	1101 Chestnut street.
139.	Wilson, Wm. H.	5 North Ninth street.
140.	Nolan, Peter.	5 North Ninth street.
141.	Cullins, Jno.	9 North Tenth street.
142.	Smith, Will.	1101 Chestnut street.
143.	Malloy, Jno. J.	811 Market street.
144.	Richmond, M. B.	1109 Chestnut street.
145.	Smith, Dick	813 Market street.
146.	Findley, Wm. H.	5 North Ninth street.
147.	Hogan, Jno.	19 North Tenth street.
148.	Chubbuck, G. R.	911 Chestnut street.
149.	Ryan, Jno.	813 Market street.
150.	Daley, Jno. R.	12 North Eleventh street.
151.	Day, Jno.	811 Market street.
152.	Glass, Jerome	5 North Ninth street.
153.	Kaiser, Fred.	813 Market street.
154.	Doyle, Geo.	5 North Ninth street.
155.	Norton, Tom	813 Market street.
156.	Gallagher, Harry	5 North Ninth street.
157.	Wilson, Frank	812 Chestnut street.
158.	Martin, Chas.	811 Market street.
159.	Darley, Jas.	812 Chestnut street.
160.	Cleary, Michael	110 North Twelfth street.
161.	Sebastain, Nat.	800 Pine street.
162.	Duggan, Cornelius	1101 Chestnut street.
163.	McManus, Michael	1013 Market street.
164.	Hite, Joseph	1013 Market street.
165.	Hogan, Wm.	811 Market street.
166.	White, Frank	813 Market street.
167.	Godlove, Jas. E.	Tenth and Pine streets.
168.	Davis, Jas.	811 Market street.
169.	Alexander, Wm.	1013 Market street.
170.	Hughes, Frank.	110 North Twelfth street.
171.	Moore, Frank	813 Market street.
172.	Duffy, L. H.	108 North Eleventh street.
173.	Healey, Michael J.	714 Chestnut street.
174.	Bulfin, Jno. J.	20 North Tenth street.
175.	Mahoney, Jno. P.	1013 Market street.
176.	Gernez, Jno.	1007 Chestnut street.
177.	Risk, Geo.	1119 Market street.
178.	Sinclair, Ed. W.	108½ North Eighth street.
179.	Wolford, Saml.	1117 Chestnut street.
180.	McGrath, Jas. L.	9 North Eighth street (rear).
181.	Fline, Oscar N.	1002 Pine street.
182.	Denny, Jas.	811 Market street.
183.	Collins, Thos.	1013 Market street.
184.	Fox, Michael	1013 Market street.
185.	Kelly, Wm.	811 Market street.
186.	Hayes, Wm.	813 Market street.
187.	Kelly, Robt.	811 Market street.
188.	Fitzpatrick, Thos. F.	12 North Ninth street.
189.	Schuler, Eno	1107½ Chestnut street.
190.	Loeffer, Jno.	805 Chestnut street.
191.	McGreen, Chas. M.	802 Pine street.
192.	Thorpe, Geo.	905 Market street.
193.	White, H. C.	802 Pine street.
194.	Goerlich, Wm. F.	1007 Chestnut street.
195.	Boggiano, Lewis	1111 Chestnut street.
196.	Howard, Mike	6 North Eleventh street.
197.	Barnes, Henry H.	14½ North Eighth street.
198.	McGuire, Jno.	911 Chestnut street.
199.	McGown, R. B.	1007 Chestnut street.
200.	Kennedy, Peter	808 and 810 Chestnut street.
201.	Brennan, Mike.	108 North Twelfth street.
202.	Smith, Melvin.	1017 Chestnut street.

Number.	Name.	Address.
203.	Shepherd, Danl	812 Chestnut street.
204.	Mahen, Jas. L	10 North Ninth street.
205.	Watkins, Ben	811 Market street.
206.	Thompson, Albert	811 Market street.
207.	Murphey, P. P.	1013 Market street.
208.	Griffin, Walter	1013 Market street.
209.	Young, Harry	811 Market street.
210.	Lott, Jno. A	101 North Ninth street.
211.	McCarthy, M. J.	813 Market street.
212.	Sayles, Rosel	813 Market street.
213.	Reeves, Edw	811 Market street.
214.	Duffy, Jas	1123½ Chestnut street.
215.	Duffy, Jno	1101 Chestnut street.
216.	Lowenstein, Saml	918 Pine street.
217.	Winert, Chas. W	713 Chestnut street.
218.	Chabeayne, Chas. A	16 North Twelfth street.
219.	Carson, Harry M	923 Market street.
220.	Heath, Jas. L	1123½ Chestnut street.
221.	Nolan, Geo. W.	1115 Chestnut street.
222.	Fleming, Jno. A	720 Pine street.
223.	Skinner, Wm	24 North Tenth street.
224.	Duffy, Jas	116 North Ninth street.
225.	Raddatz, Otto	18 North Twelfth street.
226.	Newcomb, C. A.	918 Pine street.
227.	Taylor, Harry	1101 Chestnut street.
228.	Crawford, Allan J	1002 Pine street.
229.	Costello, M. R.	14 North Tenth street.
230.	Cunningham, Jas. P.	Imperial Theater.
231.	Ward, Thos	811 Market street.
232.	Raub, Uriah	1019 Market street.
233.	Murphy, Jas.	14½ North Eighth street.
234.	Conklin, M. R.	116 North Ninth street.
235.	Rockwell, Geo. E.	919 Chestnut street.
236.	Noon, Michael	106 North Twelfth street.
237.	McNamara, J. J	1007 Chestnut street.
238.	Nazzoni, Paul	1018 Pine street.
239.	Pendergrast, Jas	1123½ Chestnut street.
240.	Summerfield, Simon	105 North Tenth street.
241.	Russell, Wm	19 North Tenth street.
242.	Laird, R. H.	19 North Tenth street.
243.	Chambers, W. P	918 Pine street.
244.	Tittles, Walter A	908 Chestnut street.
245.	Turner, Wm. J	905 Market street.
246.	Burns, Michael	811 Market street.
247.	Farrell, Jas.	109 North Tenth street.
248.	Wolford, Louis J.	706 Pine street.
249.	Corn, Geo	811 Market street.
250.	McAvoy, Geo. H.	813 Market street.
251.	Calvert, Frank	813 Market street.
252.	Kennedy, Jno.	811 Market street.
253.	Wilson, Jno. B	811 Market street.
254.	Burnside, Jno. B	1013 Market street.
255.	Manning, Jno	811 Market street.
256.	Noel, Frank	108 North Eleventh street.
257.	Lefler, Albert	1011 Market street.
258.	Turner, Chas	108 South Tenth street.
259.	Bullin, Thos.	20 North Tenth street.
260.	Martin, Jas.	1121 Chestnut street.
261.	Turner, Geo	819 Market street.
262.	Sweeten, Grant	1003 Market street.
263.	Cunningham, J. R.	1017 Chestnut street.
264.	Bentley, Robt. H	110 North Twelfth street.
265.	Caffarata, Jas	1018 Pine street.
266.	Burks, Harry	1004 Pine street.
267.	Carten, Wm. J.	5 North Tenth street.
268.	Gallagher, Martin	1013 Martin street.
269.	Brennen, Chas	1127½ Chestnut street.
270.	McLeod, Robt. S	904 Chestnut street.
271.	Barthold, Henrich	807 Market street.
272.	Macaree, M. J	107 North Tenth street.
273.	Modra, Wm	110 North Twelfth street.
274.	Kamunwttter, Geo.	1107½ Chestnut street.
275.	Whalan, Geo	16 North Tenth street.
276.	Ashton, Jno	13 North Ninth street.
277.	Kelly, Wm. R.	108 North Twelfth street.
278.	Kennedy, Edw	715½ Chestnut street.
279.	Marshall, King	4 North Tenth street.
280.	Thompson, Chas	813 Market street.
281.	Nelson, Thos. H	107 North Tenth street.
282.	De Laney, Thos. J	927 Market street.
283.	Framm, Julius J.	810 Chestnut street.
284.	Jaequiete, Jno. W	918 Pine street.
285.	O'Brien, Jno	2 North Ninth street.
286.	Lebert, Wm	1123 Chestnut street.
287.	Dreamigan, Chas. P.	12 North Eleventh street.
288.	Snyder, Rudolph	805 Chestnut street.

Q. (By Mr. KINSEY.) Will you now turn to the certificates made by the judges and clerks and read therefrom the number of votes received by each candidate for Congress in the Twelfth district for the short term?—A. James J. Butler received 228, George C. Wagoner received 58. On the other book James J. Butler received 228, George C. Wagoner 58.

Q. State whether the certificate attached to these poll books is signed by the four judges and two clerks.—A. They are.

Q. Will you produce the poll books used in the sixth precinct of the Fifteenth Ward at the election held November 4, 1902, in the city of St. Louis and read therefrom the numbers, names, and residences of the voters recorded in said books, beginning with number 1 and continuing in consecutive order, to and including the last name?—A. Yes.

PRECINCT 6, FIFTEENTH WARD.

Number.	Name.	Address.
1.....	C. C. Crumps.....	1431 Linden street.
2.....	Jas. G. Laughlin.....	703 North Fifteenth street.
3.....	Henry Thomas.....	1323 Linden street.
4.....	Allen Harris.....	1322½ Gay street.
5.....	J. Williams.....	1425 Linden street.
6.....	Alex. Dougherty.....	710 North Sixteenth street.
7.....	Geo. P. Davis.....	710 North Fourteenth street.
8.....	Tony Barns.....	1324 Gay street.
9.....	Frank W. Wellman.....	722 North Fourteenth street.
10.....	Jas. D. Russell.....	1322½ Gay street.
11.....	Rufus Sharpe.....	1302 Gay street.
12.....	Henry Green.....	1319 Linden street.
13.....	Joseph Farral.....	1521 Lucas avenue (rear).
14.....	Moses Sargeant.....	706 North Fourteenth street.
15.....	Jas. A. Stanton.....	1306½ Gay street.
16.....	David Bell.....	1405 Morgan street.
17.....	Neil Thomas.....	1309 Linden street.
18.....	Henry Williams.....	718 North Sixteenth street.
19.....	Tom McKay.....	1519 Lucas avenue.
20.....	Perry McGee.....	4517 Lucas avenue.
21.....	W. H. Wilborn.....	1323 Lucas avenue.
22.....	Almon R. May.....	723 North Fourteenth street.
23.....	H. Hunter.....	1302 Gay street.
24.....	Oscar Hersoz.....	1400 Morgan street.
25.....	E. R. Brandon.....	1332 Morgan street.
26.....	Otto Bell.....	1520 Morgan street.
27.....	Wm. Wellman.....	1336 Morgan street.
28.....	G. G. Chimi.....	1302 Gay street.
29.....	Wm. Hogan.....	1302 Gay street.
30.....	Wm. Bailey.....	1318 Morgan street.
31.....	Wm. T. Carroll.....	1514 Morgan street.
32.....	Alex. Gardner.....	802 North Fourteenth street.
33.....	Spencer W. Ingram.....	1330½ Morgan street.
34.....	Wm. W. Jenkins.....	1514½ Morgan street.
35.....	Davis Jefferson.....	1423 Linden street.
36.....	Oscar Souserman.....	1338 Morgan street.
37.....	Ben McMillen.....	721 North Fourteenth street.
38.....	Theo. Brown.....	1433 Linden street.
39.....	Wm. Andrews.....	1326 Morgan street.
40.....	Jno. E. Stewart.....	723 North Fourteenth street.
41.....	Henry Williams.....	718 North Sixteenth street.
42.....	Henry Thomas.....	1331 Linden street.
43.....	Lewis Jeffries.....	715 North Eighteenth street.
44.....	Tom Pratt.....	1302 Gay street.
45.....	John H. Stewart.....	1333 Lucas street.
46.....	Geo. C. Newman.....	703A North Fifteenth street.
47.....	Rueben E. Wilcox.....	1515 Lucas street.
48.....	Wm. Hurt.....	1408 Morgan street.
49.....	Willis L. Cox.....	1426 Morgan street.
50.....	David Honeyman.....	1332 Morgan street.
51.....	Rich'd Hayes.....	1305 Linden street.
52.....	Green Moore.....	1521½ Lucas avenue.
53.....	Geo. Vassar.....	1121 North Fourteenth street.
54.....	Ed. H. Johnson.....	1306 Morgan street.
55.....	John Collins.....	1413 Linden street.
56.....	Wm. Ferguson.....	708 North Sixteenth street.
57.....	Jas. H. Harris.....	1526 Morgan street.
58.....	Wash Walker.....	1313 Linden street.
59.....	Harman Wenhoener.....	706 North Fifteenth street.
60.....	Peter Weinman.....	722 North Fourteenth street.
61.....	Jno. H. Bell.....	1520 Morgan street.
62.....	K. Davis.....	1337 Morgan street.
63.....	Wm. Rivers.....	1402 Morgan street.
64.....	Ed J. Wangerin.....	1512 Morgan street.
65.....	Robt. Wright.....	1514 Linden street.
66.....	Wm. Carson.....	1310 Gay street.

PRECINCT 6, FIFTEENTH WARD—Continued.

Number.	Name.	Address.
67.....	Jos. Markwietz.....	711 North Fifteenth street.
68.....	Leigh Monnen.....	1315 Linden street.
69.....	Wm. Oden.....	723 North Fourteenth street.
70.....	Spencer Stewart.....	702½ North Fifteenth street.
71.....	Bruno B. Hermann.....	1536 Morgan street.
72.....	Andrew Hopkins.....	1425 Linden street.
73.....	Patrick Heagen.....	1532 Morgan street.
74.....	Jos. Keeble.....	1521 Morgan street.
75.....	F. J. Washington.....	1308 Morgan street.
76.....	Wm. Rogers.....	1402 Morgan street.
77.....	Henry C. Shorrod.....	712 North Fourteenth street.
78.....	Robt. Levitch.....	1325 Morgan street.
79.....	David F. Talbert.....	724 North Fourteenth street.
80.....	Wm. Fox.....	1320 Morgan street.
81.....	E. Kindle.....	1425 Linden street.
82.....	Sam Blanton.....	1428 Linden street.
83.....	Burrell Armstead.....	1326 Morgan street.
84.....	John Hamilton.....	1322½ Gay street.
85.....	Elon Stewart.....	723 North Fourteenth street.
86.....	Frank C. Aiken.....	723 North Fourteenth street.
87.....	Oley Wagner.....	702 North Fifteenth street.
88.....	Henry Smith.....	1525 Linden street.
89.....	Lenn Bush.....	1311 Linden street.
90.....	Henry Moore.....	711 North Fifteenth street.
91.....	Jno. R. McDonald.....	1320 Morgan street.
92.....	Albert S. Aiken.....	1125 North Fourteenth street.
93.....	Blakely Hutchinson.....	1525 Linden street.
94.....	Michael Hamilton.....	1406 Morgan street.
95.....	Claude L. Smith.....	711 North Fifteenth street.
96.....	Wm. Ferguson.....	708 North Sixteenth street.
97.....	Harry P. Rynders.....	711 North Fifteenth street.
99.....	Freddie Brown.....	1433 Linden street.
100.....	Wm. Bailey.....	1408 Morgan street.
101.....	Wylie Curley.....	1511 Lucas avenue.
102.....	Ed. Carroll.....	1826 Morgan street.
103.....	S. E. Cole.....	718 North Fifteenth street.
104.....	Peter Foster.....	802 North Fourteenth street.
105.....	Arthur Greenwood.....	1430 Morgan street.
106.....	Spencer Hailey.....	1308 Linden street.
107.....	Frank Hughes.....	711 North Fourteenth street.
108.....	Chas. Oats.....	1305 Linden street.
109.....	Matthew J. Read.....	701 North Fourteenth street.
110.....	Chas. N. Reiter.....	701 North Fifteenth street.
111.....	Willis Washington.....	1322½ Gay street.
112.....	Wm. Yancey.....	1524 Morgan street.
113.....	Augustus Turner.....	1312 Morgan street.
114.....	Wyatt Sinkley.....	1520 Linden street.
115.....	C. C. Rankin.....	1424 Morgan street.
116.....	Henry Rice.....	1422 Morgan street.
117.....	Sidney Lucas.....	1314 Gay street.
118.....	John Henry.....	1308 Linden street.
119.....	John Davis.....	1511 Lucas street.
120.....	John Carter.....	1325 Morgan street.
121.....	John Jenkins.....	1527 Linden street.
122.....	Alonzo Kilbert.....	1326 Morgan street.
123.....	John Miller.....	1430 Morgan street.
124.....	James Morgan.....	713 North Fifteenth street.
125.....	Will Williams.....	1327 Lucas avenue.
126.....	Andrew Moton.....	1322½ Gay street.
127.....	Lage Lewis.....	724 North Fourteenth street.
128.....	David Ring.....	1125 Linden street.
129.....	Isaac Hale.....	1330 Morgan street.
130.....	Geo. S. Gibbs.....	1406 Linden street.
131.....	John Danner.....	713 North Fifteenth street.
132.....	James Colston.....	1514½ Morgan street.
133.....	Wm. Hodges.....	1110 Morgan street.
134.....	Wyatt M. Turk.....	1325 Linden street.
135.....	Rochester Scott.....	709 North Fourteenth street.
136.....	John Parker.....	1320 Linden street.
137.....	John Pride.....	1328 Morgan street.
138.....	John Osserman.....	1338 Morgan street.
139.....	Lewis Gaddie.....	1311 Linden street.
140.....	Chas. B. Fox.....	1118 Linden street.
141.....	John Gamble.....	1518 Morgan street.

Q. (By Mr. KINSEY.) Will you now turn to the certificates of the judges and clerks on these poll books and read therefrom the number of votes certified to have been cast for the several candidates for Congress in the Twelfth Congressional district for the short term?—A. James J. Butler received 95 votes, Geo. R. Wagoner received 42 votes. The number of the district is not stated.

Q. Are these certificates signed by the four judges and two clerks?—A. No; they are signed by three judges and two clerks. The names of the judges are E. D. Carroll, John Lynch, J. D. Russell. The clerks are Otto Bell and William E. Wellman, the same in both books.

I now adjourn the taking of evidence at 11.05 p. m., December 31, 1902, until 9 a. m., January 2, 1903, to be continued at the same place.

I now resume the taking of evidence at 9.35 a. m. January 2, 1903, pursuant to adjournment.

Q. Will you now produce poll book from the first precinct of the Twenty-second Ward and read therefrom the numbers, names, and places of residence of the voters named therein, beginning with No. 1 and reading consecutively to the end thereof?—A. Yes.

PRECINCT 1, WARD 22.

Number.	Name.	Address.
1	Jos. J. Gallagher	2334 Olive street.
2	J. D. Kliiian	2227 Pine street.
3	Henry Munson	2235A St. Charles.
4	Thos. E. Collins	2241 St. Charles.
5	Walter Stewart	2334 Olive street.
6	C. M. D. Merioin	2333 Olive street.
7	Frank Phillip	2325 Pine street.
8	Mark Hopper	2214 Olive street.
9	Andrew Lorentz	2208 Locust street.
10	Jas. B. Finnan	2221 Locust street.
11	Chas. Smith	2303 Pine street.
12	C. Punt	2311 Locust street.
13	David W. Hollins	2307 St. Charles.
14	Steven W. Meade	2225 Olive street.
15	Saml. W. Argis	2242 Washington street.
16	Peter Walsh	2028 Locust street.
17	Wm. White	2231 Pine street.
18	Fred Schacht	2328 Olive street.
19	Chas. E. Burgess	2229 Olive street.
20	Jno. M. Reed	2324 Olive street.
21	Felix G. Johnson	2243 St. Charles street.
22	Lee Abrams	2305 St. Charles.
23	H. Bryant	2319 Pine street.
24	Chas. Hank	2305 Locust street.
25	Thos. Green	2321 Pine street.
26	F. Mellon	2233 St. Charles street.
27	W. J. McCarthy	2223 Olive street.
28	Jas. Quirk	2232 Washington avenue.
29	E. E. McPheeters	2221 Locust street.
30	H. T. McLogan	2204A Washington avenue.
31	Irving Mack	2229 Pine street.
32	Wm. Edmund	2333 Pine street.
33	H. E. Cotty	2323 Olive street.
34	Ed. Gentle	2221 Olive street.
35	H. Gregg	500 N. Jefferson.
36	Chas. Lewis	2210 Olive street.
37	Thos. S. Glenn	2330 Washington.
38	Arthur Thomas	2309 Olive street.
39	Jas. J. Hoodihan	2331 Olive street.
40	Jas. Jackson	2325 Pine street.
41	J. B. Burris	2317 Olive street.
42	D. A. Irons	2221 Olive street.
43	Otto Weise	2206 St. Charles.
44	H. Utterback	2248 Washington.
45	Jno. P. Cooney	2221 Olive street.
46	Selo Dimont	2227 Locust street.
47	H. F. McConnell	2210A Olive street.
48	A. Cudmore	2325 Pine street.
49	J. McKinney	2305 Olive street.
50	W. J. Timberman	2346 Olive street.
51	Robt. Scouler	2309 Locust street.
52	H. E. Lindsey	2335 Olive street.
53	Thos. Murphy	2318 Olive street.
54	Chas. G. Johnson	2300 St. Charles.
55	H. von Henrichshofen	2202 Washington avenue.
56	Geo. C. Steele	2214 Olive street.
57	Linn Haley	2208 Locust street.
58	C. H. Anglen	2246 Olive street.
59	C. C. Jordan	2203 St. Charles.
60	D. W. Gallagher	2228 Locust street.
61	Geo. White	2200 Locust street.
62	Clarence F. Held	2342A Olive street.
63	Wm. Burkhead	2200 Locust street.
64	Jas. Barry	2330 Olive street.

PRECINCT 1, WARD 22—Continued.

Number.	Name.	Address.
65.	Chas. F. Novak	2342 Olive street.
66.	Benson Cobbs	2311 Olive street, rear.
67.	Peter Walsh	2328 Locust street.
68.	Thos. B. Perkins	2330 St. Charles.
69.	F. A. Taylor	2246 Washington.
70.	J. F. Cudmore	2325 Pine street.
71.	Everett B. Chase	2329 Pine street.
72.	R. E. Goschen	2242 Washington avenue.
73.	Chas. Bradtford	2214 Locust street, rear.
74.	A. C. Haines	2309 St. Charles.
75.	B. J. Owens	2335 Pine street.
76.	Jas. Anderson	2334 Olive street.
77.	C. P. A'Hern	2304 Washington.
78.	Sam C. Poston	2332 Washington.
79.	Bonnett Sarfaty	2323 Olive street.
80.	Wm. Toulhey	2323 Olive street.
81.	Thos. Howard	2214 Olive street.
82.	H. F. Fitzgerald	2229 Pine street.
83.	Theo. Engleskind	2348 Olive street.
84.	L. E. Blaisdell	2331 Olive street.
85.	Louis H. James	2341 Locust street.
86.	H. F. Herzberg	2210 Olive street.
87.	Robt. McClain	2225 Olive street, rear.
88.	Fred May	2217 Olive street.
89.	J. N. Drew	2326 Olive street.
90.	G. S. Hudson	2223 Pine street.
91.	Jno. Turner	2342 Olive street.
92.	Jno. Ackerman	2330 Olive street.
93.	Ben Berkley	2223 Pine street.
94.	Fred Ingle	2335 Olive street.
95.	T. Joyce	2337 Locust street.
96.	Wm. Peters	2303 Pine street.
97.	F. Keim	2332 Washington.
98.	W. Gardner	2303 Pine street.
99.	Edw. Perry	2210 Washington avenue.
100.	Edw. Adams	2303 Pine street.
101.	H. Nixon	2215 Olive street.
102.	M. Noon	2215 Olive street.
103.	F. Brander	2304 Washington avenue.
104.	Wm. Sayers	2214 Locust street.
105.	H. Robinson	2305 Pine street.
106.	Ben Watkins	2329 Pine street.
107.	Ed. Jennings	2337 Locust street.
108.	Chas. Daniels	2227 Locust street.
109.	F. David	2335 Olive street.
110.	Jos. Goddard	2321 Pine street.
111.	L. King	2343 St. Charles.
112.	Theo. Kaiser	2332 Washington.
113.	J. Lester	2221 Olive street.
114.	Henry Walker	2309 Olive street, rear.
115.	H. Sacks	2347 St. Charles.
116.	Ed. Roberts	2307 St. Charles.
117.	Chas. McGuise	2309 Locust street.
118.	Jno. C. McKinney	2325 Pine street.
119.	Wm. Garrity	2307 Pine street.
120.	C. B. Anderson	2202 Locust street.
121.	Bert Evill	2228 Washington avenue.
122.	Al. Orth	2204 Washington avenue.
123.	H. Priest	2210 Washington avenue.
124.	R. Fraser	2301A St. Charles.
125.	J. C. Meier	2208 Washington avenue.
126.	A. Kilfer	2215 Locust street.
127.	B. Ackerson	2204 Locust street.
128.	G. Ritter	2217 Olive street.
129.	Chas. Nugent	2235 St. Charles.
130.	H. Joy	2227 Olive street.
131.	R. Gillmore	2305 Pine street.
132.	A. Sapper	2307 Olive street.
133.	Jas. Harrison	2204 Locust street.
134.	Ed. North	2306 Washington avenue.
135.	F. Reynolds	2236A St. Charles.
136.	F. Bolton	2328 Washington avenue.
137.	Ed. Sanders	2204 Washington.
138.	W. Rankin	2325A Pine.
139.	Lee Noonan	2337 St. Charles.
140.	Chas. Kicker	2207 St. Charles.
141.	Claude Price	2307 Olive street.
142.	D. Gibson	2227 Locust street.
143.	A. K. Achmer	2330 Washington.
144.	Mike Reardon	2331 St. Charles.
145.	F. Moll	2215 Locust street.
146.	L. Mathews	2232 Washington.
147.	L. Isaacs	2309 Locust street.

PRECINCT 1, WARD 22—Continued.

Number.	Name.	Address.
148	F. Julian	3325A Pine.
149	Frank Hughes	3303 St. Charles.
150	F. Leidner	2307 Locust street.
151	A. Ladd	2301A St. Charles.
152	T. Chaplain	2227 Locust street.
153	N. Cruthwell	2333 Olive street.
154	Ed. Potts	2345 St. Charles.
155	Ed. Blodgett	2319 Pine street.
156	Robt. Oswald	2325 Pine street.
157	A. Gerry	2248 Washington.
158	F. Kessler	2241 Locust street.
159	Jas. Andrews	2202 Locust street.
160	Jos. Douglass	2328 Washington.
161	Geo. Beaumont	2204 Locust street.
163	C. Nicks	2221 Locust street.
164	Geo. J. Adams	2301A St. Charles.
165	J. Leahy	2223 Olive street.
166	J. Pearce	2309 St. Charles.
167	Max Smith	2223 Pine street.
168	Maurice Kern	2325A Pine street.
169	J. R. Lunnigan	2206 Washington.
170	L. A. Newell	2215 Olive street.
171	A. Ewing	2333 Pine street.
172	B. Kendall	2337 Locust street.
173	Tobe Ramsey	2221 Olive street.
174	Geo. J. Arons	2301A St. Charles.
175	Jno. Erwin	2307 Locust street.
176	W. Barber	2342 Olive street.
177	J. B. Daughine	2325A Pine street.
178	Barney Evers	2307 Locust street.
179	J. Gavin	2305 Pine street.
180	R. Bradley	2212 Locust street.
181	T. Harrington	2330 Olive.
182	Larry Cordon	2323 Pine street.
183	Jos. Buckner	2344 Olive street.
184	Frank Abels	2301 St. Charles.
185	F. Cobb	2244 Washington.
186	R. Rankin	2208 Washington.
187	Geo. Isbell	2307 Locust street.
188	Moses Judd	2227 Olive street.
189	Paul Martin	2241 St. Charles.
190	J. Nuby	2337 Locust street.
191	F. P. Gentry	2305 Olive street.
192	Louis Davitt	2309B St. Charles.
193	R. B. Cody or Cady	2307A St. Charles.
194	O. Kelley	2229 Olive street.
195	G. Cates	2321 Pine street.
196	C. Lange	2208 Washington avenue.
197	Louis Dix	2240 Washington avenue.
198	Ed. Nelson	2206 Washington.
199	F. T. Barnard	2346 Olive street.
200	W. Hayman	2303 St. Charles.
201	Jno. R. Sayres	2211 St. Charles.
202	Hugh G. Smyth	2214 Olive street.
203	M. R. Allen	2305 Pine street.
204	W. H. Pace	2227 Locust street.
205	Fred Haynes	2309 St. Charles.
206	Geo. Cobbs	2311 Olive street, rear.
207	H. F. Ball	2200 Locust street.
208	Jas. A'Hern	2304 Washington.
209	Herman Tuholske	2337 Locust street.
210	P. A. Loire	2331 Pine street.
211	Jno. Coleman	2303 St. Charles.
212	Fred Charles	2248 Washington.
213	Frank Carton	2246 Washington.
214	F. Jordan	2328 Olive street.
215	J. Parsons	2221 Olive street.
216	Paul C. Chandler	2214 Locust street.
217	Ed. Dow	2325 Pine street.
218	E. F. Bramble	2221 Olive street.
219	Dan Evans	2231 St. Charles.
220	H. Frank	2301 St. Charles.
221	C. Kelley	2309B St. Charles.
222	E. Lane	2225 Olive street.
223	Chas. Bybee	2214 Olive street.
224	H. S. Cox	2229 Pine street.
225	Geo. Edgar	2336 Washington.
226	E. W. Baskett	2216 Locust street.
227	Wm. Chisen	2229 Pine street.
228	F. Davis	2309A St. Charles.
229	Geo. Hamilton	2246 Washington.
230	Frank Kramer	2246 Washington.
231	M. Lamb	2227 Locust street.

PRECINCT 1, WARD 22—Continued.

Number.	Name.	Address.
232	Jno. Nelson	2333 Pine street.
233	J. G. Brosi	2342 Olive street.
234	Geo. D. Dennison	2242 Washington.
235	Jas. Fitzgerald	2330 Olive street.
236	Chas. Gamlin	2330 Washington.
237	P. Hammill	2325 Pine street.
238	Paul Jones	2334 Washington.
239	Saml. Neil	2307 Locust street.
240	Tom Raines	2341 St. Charles.
241	Dani. Ives	2325A Pine.
242	J. B. Jenkins	2304 Washington.
243	Harvey Johnson	2311 Locust street
244	Chas. A. Rossberg	2337 Olive street.
245	Phil A. Bollinger	2300 Locust street.
246	W. B. Thomas	2307 Locust street.
247	Wilson R. Barnes	2306 Olive street.
248	Quincy M. Nelson	2215 Locust street.
249	Geo. Edgar	2336 Washington.
250	F. A. Clayton	2336 Olive street.
251	Fred Eldridge	2305 Locust street.
252	Geo. Edwards	2227 Olive street.
253	L. wis Hall	2246 Washington.
254	Wm. Hager	2328 Washington.
255	H. J. Irvin	2210A Olive street.
256	H. James	2305 St. Charles.
257	W. A. Mitchell	2301 St. Charles.
258	C. E. Murphy	2331 Olive street.
259	L. Parks	2301A St. Charles.
260	F. Parker	2307 Locust street.
261	Edw. Roe	2215 Locust street.
262	J. H. Halley	2205 St. Charles.
263	B. F. Padgett	2229 Pine street.
264	Thos. B. Perkins	2339 St. Charles.
265	Tom Ryan	2331 Olive street.
266	Chas. Price	2219 Pine street.
267	Harry Rieman	2227 Pine street.
268	Harry C. Inman	2215 Locust street.
269	Thos. J. Howard, jr	2214 Olive street.
270	E. Huddleston	211 North Twenty-third street.
271	R. Hyatt	2221 Olive street.
272	Jno. Hagerty	2323 Pine street.
273	Ben Marcus	2227 Pine street.
274	W. L. Oliver	2212 Locust street.
275	C. Phillipi	2214 Olive street.
276	Henry Allen	2335 St. Charles.
277	J. B. Austin	2208 Locust street.
278	Frank F. Danke	2206 Locust street.
279	Isaac Dozier	2244 Washington avenue.
280	Geo. W. Evans	2305 Pine street.
281	J. M. Ackert	2210 Olive street.
282	Wm. A. Farnan	2221 Locust street.
283	Percy B. Greenman	2207 Pine street.
284	C. F. Hurd	2309 Locust street.
285	Wm. Hager, or Wm. J	2306 Locust street.
286	E. B. June	2231 Pine street.
287	J. A. Johnson	2221 Olive street.
288	R. N. Avis	2201 St. Charles.
289	B. McCaffery	2206 Locust street.
290	Jno. J. McGrance	2231 Pine street.
291	Jas. A'Hern	2304 Washington.
292	Jas. Green	2217 Olive street.
293	A. M. Ackman	2301 St. Charles.
294	Saml. Haley	2208 Locust street.
295	F. H. Madden	2325A Pine street.
296	F. H. Marshall	2307 Pine street.
297	Frank Ackerman	2242 Washington avenue.
298	S. A. Montgomery	2226 Washington avenue.
299	Ben C. Huber	2346 Olive street.
300	Armin Ahmid	2321 Olive street.
301	Jno. R. McGill	2343 Olive street.
302	Jerry C. Moats	2340A Olive street.
303	J. B. Austin	2208 Locust street.
304	Wm. Hunnell	2342A Olive street.
305	E. J. Hogan	2213 Olive street.
306	Patrick Burton	St. John's Hospital.
307	F. J. Mebold	2231 Pine street.
308	Harry Boyd	2231 Pine street.
309	A. D. Dereimiah	2215 Locust street.
310	Henry Burns	2231 Pine street.
311	Alex. Cudmore	2325 Pine street.
312	Frank M. Wells	2215 Locust street.
313	Wm. J. Brenner	2221 Locust street.
314	Frank M. Williams	2232 Washington.

PRECINCT 1. WARD 22—Continued.

Number.	Name.	Address.
315	Chas. Berger	2205 St. Charles.
316	Jim Williams	2331 Pine street.
317	Jos. J. Clark	2330 Washington avenue.
318	B. F. Wright	2215 Locust street.
319	Jno. Churchill	2314 Olive street.
320	Jas. R. Wright	2311 Locust street.
321	Thos. Deremiah	2215 Locust street.
322	E. M. Davidson	2229 Pine street.
323	C. D. Weatherby	2221 Olive street.
324	Wm. A. Wilcox	2341 Olive, rear.
325	Jno. Kelley	2200 Washington.
326	Wm. Posten	2214 Locust, rear.
327	Jas. E. Dwyer	2205 St. Charles.
328	H. M. Eames	2207 Locust street.
329	W. G. Crenning	2310 Locust street.
330	Milton Robinson	2305 St. Charles.
331	Forest L. Estill	2021 Locust street.
332	Wm. Everett	2329 Olive street.
333	O. H. Richards	2300 St. Charles.
334	P. J. Finnegan	2327 Pine street.
335	Robt. H. Seidel	2206 Olive street.
336	Jno. J. Sloan	2207 Locust street.
337	Chas. Evans	2311 Olive street.
338	J. J. Smith	2231 Pine street.
339	Gus Ellis	2325A Pine street.
340	Geo. A. Street	2300 Locust street.
341	R. T. Ford	2231 Pine street.
342	B. J. Shea	2240A Olive street.
343	Jno. H. Finley	2238 Washington.
344	Jas. Shannon	2208 Washington.
345	Leslie Malone	2238 Washington.
346	R. L. Malone	2208 Washington.
347	H. S. Fowler	2221 Locust street.
348	Chas. G. Marker	2207 Locust street.
349	Francis Murphy	2217 Olive street.
350	Jas. Francis	2217 Olive street.
351	Martin Fleming	202 North Jefferson.
352	Saml. Houston	2325 Pine street.
353	Walter Turner	2231 Pine street.
354	David Howard	2223 Olive street.
355	Wm. D. Thomas	2207 Olive street.
356	C. H. Harbison	2214 Locust street.
357	Jno. T. Terry	2214 Olive street.
358	Mike Haley	2227 Pine street.
359	Morris McCarthy	2223 Pine street.
360	Henry Haas	2214 Locust street.
361	J. B. McCamant	2205 Olive street.
362	Frank Hinchy	2330 Washington.
363	Ed. Williams	2301 St. Charles.
364	Geo. E. Hacker	2227 Locust street.
365	Carl King	2206 Locust street.
366	Jos. Lynch	2227 Pine street.
367	F. Obert	2325 St. Charles.
368	Lee Loughlin	2231 Pine street.
369	K. Overback	2409B St. Charles.
370	A. Lang	2325 Pine street.
371	F. Owens	2232 Washington.
372	Albert Quinn	2237 St. Charles.
373	Mine Leary	2342 Olive.
375	Geo. A. Rowan	2231 Pine street.
376	Thos. O'Brien	2217 Olive street.
377	H. N. Reagan	2231 Pine street.
378	B. Oliver	2210 Washington.
379	Wm. Schoenfeld	2231 Pine street.
380	G. O'Neil	2206 Washington.
381	Mike Sheehan	2206 Locust street.
382	Wm. Otis	2221 Locust street.
383	Jas. Gillespie	2229 Pine street.
384	Wm. Garrison	2231 Pine street.
385	Louis Brantzer	2346 Olive street.
386	Wm. T. Bell	2231 Pine street.
387	Frank M. Ball	2207 Locust street.
388	Wm. M. Fullen	2311 Olive street.
389	J. W. Finnegan	2229 Pine street.
390	Geo. B. Guydon	2342A Olive street
391	Jas. Gass	2217 Olive street.
392	Albert Fredericks	2228 Washington avenue
393	W. A. Lee	2206 Locust street.
394	Wm. Fisher	2208 Washington.
395	W. M. Lucas	2231 Pine street.
396	Robt. McLean	2225 Olive street.
397	Chas. Lange	2229 Pine street.
398	J. H. McLanahan	2235 St. Charles.

PRECINCT 1, WARD 22—Continued.

Number.	Name.	Address.
399.....	Will Lee.....	2324 Olive street.
400.....	Geo. Lucas.....	2219 Pine street.
401.....	F. E. Baker.....	2311 Locust street.
402.....	Jos. Quartero.....	2323 Olive street.
403.....	E. H. Bayer.....	2238 Washington.
404.....	J. J. Calvert.....	2326 Olive street.
405.....	Geo. H. Curran.....	2201 Locust street.
406.....	Jno. E. Havird.....	2206 Locust street.
407.....	W. A. McClung.....	2200 Locust street.
408.....	Thos. P. Collins.....	2241 St. Charles.

Q. (By Mr. KINZIE.) Will you turn to the certificate of the judges and clerks on the poll books and read therefrom the number of votes cast for each of the candidates for Congress in the Twelfth Congressional district of Missouri for the short term?—A. Yes. James J. Butler received 395 votes. George C. R. Wagoner received 8 votes. H. H. Artz received 1 vote.

Q. Are these poll books signed by the four judges and clerks?—A. Yes.

Q. Will you now produce the poll books used in the twelfth precinct of the Seventh Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

PRECINCT 12, WARD 7.

Number.	Name.	Address.
1.....	Bridgeman, Thos. C.....	1407 St. Ange.
2.....	Rosso, Tony.....	1630 Park avenue.
3.....	Peters, Edwin F.....	1424 Dillon.
4.....	Pohl, Henry.....	1415 Dillon.
5.....	Lavitts, Fred.....	1422A St. Ange.
6.....	Glaser, Dan.....	1424 Dillon.
7.....	Beauvias, Jos. C.....	1628 Park avenue.
8.....	Hechts, Chas.....	1410 Dillon.
9.....	O'Neil, Wm.....	1427 Carroll.
10.....	Grienvert, Gustave A.....	1600 Carroll street.
11.....	Scharlott, Valentine.....	1416 Dulman street.
12.....	Christoph, Chas.....	1415 Dillon.
13.....	Lawton, Mike.....	1606 Carroll street.
14.....	Tilton, Chas. E.....	1427 Grattan street.
15.....	Hoefner, Jos. H.....	1632 Park avenue.
16.....	Wall, Sam'l.....	1418 St. Ange.
17.....	Mueller, Conrad.....	1615 Carroll.
18.....	Wall, Stephen.....	1418 St. Ange.
19.....	Tait, Jasper M.....	1415 Carroll.
20.....	Rheinhardt, Louis J.....	1409 Dillon street.
21.....	Cordes, W. H.....	1414A Carroll.
22.....	Sugrue, Dan'l.....	1435 Grattan.
24.....	Gerock, Chas.....	1421 Dillon.
25.....	Sugrue, Jno.....	1616 Park.
26.....	Wall, Morris.....	1418 St. Ange.
27.....	Bevin, Robt. M.....	1515 Carroll.
28.....	Park, Frank J.....	1416 Dillon street.
29.....	Charlotte, Geo.....	1436 Dolman.
30.....	Wall, Edw. L.....	1417 St. Ange.
31.....	Artz, H. H.....	1407 Grattan street.
32.....	Bek, Ern st.....	1613 Carroll.
33.....	McDonald, Arthur P.....	1616 Carroll.
34.....	Hind, Oscar.....	1435 Grattan.
35.....	Brennan, Frank.....	1619 Carroll.
36.....	Block, Louis.....	1418 Dillon.
37.....	Ryan, Timothy.....	1413 Grattan.
38.....	Murman, Jerry.....	1412 Grattan street.
39.....	McDonald, Patrick.....	1616 Carroll.
40.....	Joen, Herman.....	1627 Carroll.
41.....	Metz, Edw. C.....	1622 1/2 Carroll.
42.....	Boggs, Jno. S.....	1622 1/2 Carroll.
43.....	Mollner, Jos.....	1610 Park
44.....	Benz, Chas. J.....	1412 Dillon.
45.....	Jicha, W.....	1416 Dillon.
46.....	Eckert, Otto H.....	1409 Grattan.
47.....	Amrhein, Oscar.....	1629 Dolman.
48.....	Werner, Jos.....	1609 Lafayette avenue.
49.....	Flaskant, Christ.....	1510 Park.

PRECINCT 12, WARD 7—Continued.

Number.	Name.	Address.
50.	Tischhauser, Andrew	1424 Dolman street.
51.	Flaherty, F. E.	1604 Park avenue.
52.	Lane, Peter	1436 Dolman.
53.	Franke, Wm.	1430 Dolman.
54.	Suddoff, Franz	1416 Grattan.
55.	Ross, Walter	1412 Grattan.
56.	Kunkler, Hy J.	1625 Lafayette.
57.	Middleton, Geo.	1421 Dillon street.
58.	Heine, Chas. W.	1615 Grattan street.

I now adjourn the taking of evidence at 1 p. m., January 2, 1903, until 2 p. m., January 2, 1903.

I now resume the taking of evidence at 2.15 p. m., January 2, 1903, having received the poll books from the appointed custodian, Mr. Moore.

Q. Have you received the poll books from Moore, the custodian, which you were using prior to the adjournment for lunch to-day?—A. Yes.

Q. Will you now continue to testify regarding it?—A. Yes.

Number.	Name.	Address.
59.	Straus, Martin	1514 Park avenue.
60.	Susanka, Jos.	1410 Dillon street.
61.	Beauvais, Jas.	1028 Park avenue.
62.	Lynch, W. P.	1408 Park avenue.
63.	Borgelt, Edw. S.	1602 Carroll.
64.	Nelson, Mels.	1429 Grattan street.
65.	Wihues, Frank	1427 Carroll.
66.	Schellhouse, Jacob	1425 Grattan.
67.	Schoes, Herman	1411 Dillon street.
68.	Triesier, Henry G.	1440 Dolman street.
69.	Hebron, P. J.	1412 St. Ange.
70.	Niedling, A. J.	1421 Dillon street.
71.	Young, Warren J.	1404 St. Ange.
72.	Barr, Clifford	1523 Park avenue.
73.	Herwick, W. M.	1615 Grattan street.
74.	Luth, Louis	1624 Dolman street.
75.	Hines, Michael	1410 Grattan street.
76.	Patterson, Howard	1441 St. Ange.
77.	Heumann, Chas.	1433 Grattan street.
78.	Samona, Chas. W.	1614 Carroll street.
79.	Ziegler, Henry F.	1410 Grattan street.
80.	Ziegler, Jno. F.	1424 Grattan street.
81.	Ziegler, Edw.	1424 Grattan street.
82.	Diebel, Albert	1623 Lafayette.
83.	Nester, Anton	1413 Dillon street.
84.	Wurm, Robt.	1622 Park avenue.
85.	Kane, Eugene	1408 Grattan street.
86.	Percival, J. W.	1436 Dolman street.
87.	Brown, Herman	1424 Dolman street.
88.	Henke, Chas.	1405 Dillon street.
89.	Davis, Jno. H.	1421 Grattan street.
90.	Kuemerle, Jno. H.	1409 South Fourteenth street.
91.	Amrhein, Adam	1620 Dolman street.
92.	Gaertner, Robt.	1400 St. Ange avenue.
93.	Traenel, Fred'k.	1615 Carroll.
94.	Kennedy, Jno. E.	1414 Dillon street.
95.	Hochm, Jno. C.	1411 Carroll street.
96.	Putting, August	1433 Grattan street.
97.	Schluegers, Harry	1417 Dillon street.
98.	Strauss, Jno. R.	1434 Dolman street.
99.	Colden, Wm. H.	1422 Dolman street.
100.	Fitzsimmons, Bernard	1424 Dolman street.
101.	Morton, Wm. H.	1406 Park avenue.
102.	Hunsch, G. A.	1624A Carroll street.
103.	Farson, Jno.	1408 Grattan street.
104.	Overtr, Jno.	1618 Carroll street.
105.	Walker, Albert D.	1430 St. Ange avenue.
106.	Roelker, Jno. H.	1421 St. Ange avenue.
107.	Putting, Frank H.	1433 Grattan street.
108.	Anfferheide, Wm. J.	1618 Carroll street.
109.	Kittlaus, Louis	1430A St. Ange avenue.
110.	Barth, Geo. H.	1617 Carroll street.
111.	St. Cyr, Wm. B.	1408 St. Ange avenue.
112.	Hoell, Alex.	1423 Grattan street.
113.	Coller, Ignatz G. A.	1513 Carroll street.
114.	Manley, Antony	1411 South Fourteenth street.

PRECINCT 12, WARD 7—Continued.

Number.	Name.	Address.
115.....	Chapman, Harry.....	1436 Dolman street.
116.....	Wunsch, Christian.....	1624A Carroll.
117.....	Biegelsbacher, Chas.....	1620 Dolman.
118.....	Stephens, Frank J.....	1412 Dillon street.
119.....	Corcoran, Mat.....	1516 Park avenue.
120.....	Kennedy, Jno.....	1410 Grattan street.
121.....	White, Jno. S.....	1617 Carroll street.
122.....	Grob, Jno., jr.....	1432 Grattan street.
123.....	Ziegler, J. Henry.....	1627 Carroll street.
124.....	McDonald, Jas. D.....	1616 Carroll street.
125.....	Faherty, Bert J.....	1004 Park avenue.
126.....	Len, Ed.....	1421 St. Ange avenue.
127.....	Simpson, W. P.....	1604 Park avenue.
128.....	Krienest, Geo.....	1513 Carroll street.
129.....	Ungermann, W. M.....	1409 St. Ange avenue.
130.....	Schaanel, Jno.....	1410 Dillon street.
131.....	Grob, Jno.....	1422 Grattan street.
132.....	Duebler, Eugene.....	1408 Dillon street.
133.....	Scharr, Jno.....	1422 Grattan street.
134.....	Barr, Wm. M.....	1522 Park avenue.
135.....	Kuteenbacher, Jno.....	1425 Grattan street.
136.....	Sudoff, Frank M.....	1416 Grattan street.
137.....	Schaad, Christ.....	1407 South Fourteenth street.
138.....	Kuemerle, Jno. C.....	1409 South Fourteenth street.
139.....	Allen, Wm.....	1434 Dolman street.
140.....	Morrow, Wm.....	1421 Dillon street.
141.....	Mueller, Hugo.....	1626 Park avenue.
142.....	Strauss, Wm.....	1514 Park avenue.
143.....	Reed, Jas.....	1410 St. Ange avenue.
144.....	Mueller, Aug. H.....	1626 Park avenue.
145.....	Miller, Jno. S.....	1613 Carroll street.
146.....	Wreckerlin, Mark.....	1421 Carroll street.
147.....	Zinger, Herman.....	1417 Dillon street.
148.....	Gilfilrian, Clement M.....	1620 Park avenue.
149.....	Baer, Alex.....	1437 Grattan street.
150.....	Parpert, Herman.....	1622 Dolman street.
151.....	Mahon, Thos.....	1619 Grattan street.
152.....	Sullivan, Patrick.....	1615 Grattan street.
153.....	Blackburn, Everd.....	1408 Park avenue.
154.....	Kane, Edw.....	1408 Grattan street.
155.....	Roenker, Jno. H.....	1411 Carroll street.
156.....	Reiley, B. J.....	1621 Grattan street.
157.....	Hegerty, Oliver. F.....	1421 Grattan street.
158.....	Schuman, Chas. A.....	1614 Carroll street.
159.....	Sudoff, Geo. E.....	1411 Grattan street.
160.....	Joynson, Thos.....	1411 Grattan street.
161.....	Kane, Timothy.....	1408 Grattan street.
162.....	Back, Emil.....	1418 A Dillon street.
163.....	Gerber, Hugo.....	1419 Carroll street.
164.....	Hickey, Jno.....	1600 Park avenue.
165.....	Komitz, Max.....	1420 Dillon street.
166.....	Pierce, Geo.....	1419 Dillon street.
167.....	Joynt, Jno. W.....	1612 Park avenue.
168.....	Troy, Jno.....	1426 Dolman street.
169.....	Doerr, Jno. S.....	1403 St. Ange avenue.
170.....	Luebber, Henry.....	1421 Dillon street.
171.....	Kaiser, Chas.....	1421 Dillon street.
172.....	Langford, Chas. A.....	1420 Grattan street.
173.....	Langford, Jas.....	1420 Grattan street.
174.....	Faherty, Jos.....	1604 Park avenue.
175.....	Roemke, Henry J.....	1411 Carroll street.
176.....	Doerge, Wm. C.....	1425 Carroll street.
177.....	Morris, Frank B.....	1436 Dolman street.
178.....	Farley, Peter B.....	1436 Dolman street.

Q. Will you now turn to the certificate of the judges and clerks attached to this poll book and read therefrom the votes certified to have been cast for the several candidates for Congress for the Twelfth district for Congress for the short term?—A. James J. Butler received 92 votes; George C. R. Wagoner received 61 votes; Henry H. Artz received 7 votes.

Q. Are both of these poll books signed by the four judges and two clerks?—A. Yes.

Q. Will you produce the poll books used in precinct 3, Ward 22, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1 and continuing with the first number to and including the last number given?—A. Yes, sir.

PRECINCT 3, WARD 22.

Number.	Name.	Address.
1	Aug. Steinmyer or Aug. D	1014 North Twenty-third street.
2	Louis Demartin	1016 North Jefferson avenue.
3	Saml. Levinson	2328 Wash street.
4	Wm. J. Milligan	2311 Franklin avenue.
5	Henry Bresh	2333 Franklin avenue.
6	Thos. Dowdle	2223 Wash street.
7	Louis Dohit	2307 Franklin avenue.
8	F. G. Donrese	2325 Wash street.
9	Dallas Boughton	2329 Wash street.
10	Wm. Fahrenhorst	224A Carr.
11	Louis Pelose	2223 Carr street.
12	Harry Hulman	2223 Wash street.
13	Geo. Fichtil or Fictel	2328 Carr street.
14	Thos. Crinnion	2324 Wash street.
15	Wm. F. Herr	2326 Carr street.
16	Jas. T. Malone	1012 North Jefferson avenue.
17	Ambrose Malone	921 North Twenty-third street.
18	Wm. H. Burns	230 Carr street.
19	H. Marks	2304 Wash street.
20	H. C. Steinmeyer	1014 North Twenty-third street.
21	Jos. F. Leum	2351 Wash street.
22	Jno. F. Howard	2313 Wash street.
23	Malachi Flannigan	921 North Twenty-third street.
24	Geo. W. McGowan	2218 Carr street.
25	H. C. Grawe	2318 Carr street.
26	Geo. N. Grawe	2318 Carr street.
27	J. W. Cayton	2302 Wash street.
28	Jas. Hackett	1007 North Twenty-third street.
29	Louis Tegtmeier	2338 Carr street.
30	C. S. Wilmeth	2305 Wash street.
31	Peter C. Lennan	2354 Carr street.
32	C. L. Munroe	2348 Carr street.
33	Jno. Marnell	2204 Carr street.
34	Robt. Bush	2234 Wash street.
35	Paul Bonholzer, sr	1017 North Twenty-second street.
36	J. L. Ingram	2327 Wash street.
37	Wm. H. Goff	2337 Wash street.
38	D. A. Hogan	2316 Carr street.
39	E. M. Hill	2334 Wash street.
40	Richard Ricks	913 North Twenty-second street.
41	Jno. J. Hollenberger	2323 Franklin avenue.
42	Julius Hirschfelt	2354 Carr street.
43	Morris Tucker	2329 Wash street.
44	Wm. Thomas	235A Wash street.
45	Henry M. Primm	2309 Franklin avenue.
46	Wm. Oliver	2201 Franklin avenue.
47	Wm. P. Buckmaster	2304 Wash street.
48	Jno. A. Pfeifer	2315 Wash street.
49	J. A. Malone	921 North Twenty-third street.
50	Dani. E. Swallow	1006 North Jefferson avenue.
51	Geo. L. Schaales	2203 Wash street.
52	Henry Martini	2301 Franklin avenue.
53	Thos. Tierney	2340 Carr street.
54	Jas. Crinnion	2344 Wash street.
55	Chas. Chambers	2358 Carr street.
56	Geo. Putney	2356 Carr street.
57	Geo. Leum	2331 Wash street.
58	Albert C. Hase	2316 Carr street.
59	Frank Noble	1007 North Twenty-third street.
60	E. Senden	909 North Twenty-third street.
61	Harry Birmingham	1012 North Jefferson avenue.
62	Victor Pierson	2332 Wash street.
63	Hugh A. Kelley	2338 Wash street.
64	Washington Marshall	2320A Carr street.
65	Nazzarine Intendente	2302 Wash street.
66	Jno. Clark	2347 Wash street.
67	Alex. Morrissy	909 North Twenty-third street.
68	Chas. McAlley	2340 Wash street.
69	Thos. Pugh	2338 Carr street.
70	W. R. Ferguson	2307 Wash street.
71	Con Ryan	2352 Carr street.
72	Wm. Bell	2210 Carr street.
73	Jno. Clark	2309 Franklin avenue.
74	Louis Metzger	2321 Franklin avenue.
75	Jonas Lewis	2320 Wash street.
76	Wm. J. Maher	923 North Twenty-second street.
77	Frank H. Hamilton	2320 Wash street.
78	Joe Fogarty	2337 Franklin avenue.
79	Francis H. Manning	2302 Wash street.
80	Jesse B. Colbert	2336 Wash street.
81	Peter Carroll	2300 Wash street.
82	Jos. Clark	921 North Twenty-third street.
83	Peter Helman	2306 Wash street.

PRECINCT 3, WARD 22—Continued.

Number.	Name.	Address.
84	Jno. Crimmon	1012 North Jefferson avenue.
85	Morris Baum	2313 Wash street.
86	Jno. Schaales	2303 Wash street.
87	D. F. E. Lang	3314 Carr street.
88	Geo. C. or Geo. G. Gibson	2217 Wash street.
89	Thos. Owens	2218 Wash street.
90	Thos. Toohey	2247 Wash street.
91	Edw. Wilson	2313 Wash street.
92	Thos. Cobine	2217 Franklin avenue.
93	Serfine Indende	2303 Wash street.
94	Chas. M. Hunt	2324 Wash street.
95	Chas. Vinauer	2217 Franklin avenue.
96	F. W. Carrington	2307 Wash street.
97	Antonio Largomarsino	919 North Twenty-second street.
98	Wm. Mahue	2210 Carr street.
99	Peter Keane	2307 Wash street.
100	Patrick O. Brown	2204 Carr street.
101	Aug. Voss	2323 Franklin avenue.
102	Jordan Shepherd	2328 Wash street.
103	Montrose D. Shepherd	2228 Wash street.
104	J. B. Ward	2209 Wash street.
105	Jos. Cross	2329 Wash street.
106	Edw. Oatman	2232 Carr street.
107	R. D. W. Bauldauff	2330 Franklin avenue.
108	Chas. Ackerman	2328 Wash street.
109	Jas. Dale	2311 Wash street.
110	N. B. Rudy	2301 Franklin avenue.
111	Saul Levitt	2327 Franklin avenue.
112	Abraham Greenspan	2220 Carr street.
113	Geo. Smith	2307 Franklin avenue.
114	Robert P. Kelley or Robt. Keller	2330 Carr street.
115	E. P. Murphy	1012 North Jefferson avenue.
116	Alfred Grenning	2330 Wash street.
117	Paul Banholzer, jr	1017 North Twenty-second street.
118	F. W. Grundeman	2309 Wash street.
119	Jos. Daley	2309 Wash street.
120	Jos. Harley	2302 Wash street.
121	Robt. Talbot	917 North Twenty-third street.
122	Pat Kilcullen	2313 Wash street.
123	Fred Schoor	2217 Franklin avenue.
124	Wm. Yakle	915 North Twenty-second street.
125	Ed. Hardy	2318 Wash street.
126	Jno. Buckley	2344 Wash street.
127	Chris. or Chas. Heilman	2306 Wash street.
128	Jno. Sheehan	911 North Twenty-second street.
129	Chas. Heilman	2306 Wash street.
130	Ed. Heilman	2306 Wash street.
131	P. Ricks	913 North Twenty-second street.
132	Mike Sheehan	911 North Twenty-third street.
133	Ed. Norris	2231 Franklin avenue.
134	H. Sycamore	2324 Carr street.
135	Chas. Helle	2222 Carr street.
136	Wm. Reiners	2252 Carr street.
137	Fred Fahrenhorst	2215 Wash street.
138	Wm. Burke	2302 Wash street.
139	Jas. Gaines	2310 Wash street.
140	Wm. Fury	917 North Twenty-third street.
141	Geo. Aikens	2223 Franklin avenue.
142	Jeremiah Donohue	2221 Wash street.
143	Albert Schott	2217 Franklin avenue.
144	Jas. Harrington	2304 Wash street.
145	W. Kilcullen	2313 Wash street.
146	Thos. E. Sackett	2316 Wash street.
147	Wm. Schaales	2303 Wash street.
148	Jno. McAuliffe	2204 Wash street.
149	Chas. H. Klinge	2326 Wash street.
150	Jno. Koch	2211 Wash street.
151	Edw. Schott	2217 Franklin avenue.
152	Chas. Heilman	2304 Wash street.
153	Henry Smith	2234 Wash street.
154	Henry C. Steinmeyer	1014 North Twenty-third street.
155	Wm. J. Nekola	2301 Wash street.
156	Patrick Grady	2301 Carr street.
157	Peter J. McCarthy	2313 Wash street.
158	August Rath	1007 North Twenty-third street.
159	Fred W. Shultz	2303 Wash street.
160	Jacob Liebrecht	2313 Franklin avenue.
161	Henry Hanning	2321 Wash street.
162	Chas. J. Sheehan	2309 Franklin avenue.
163	H. H. Kessler	2301 Franklin avenue.
164	Jno. Hackett	1007 North Twenty-third street.
165	W. J. Ryan	2336 Carr street.
166	Jno. Burke	2336 Carr street.

PRECINCT 3, WARD 22—Continued.

Number.	Name.	Address.
167.	Paul Plisse	2217 Franklin avenue.
168.	Henry Hein	2348 Carr street.
169.	Jas. Hennessy	2302 Wash street.
170.	Jno. W. Howard	2344R Wash street
171.	Wm. Lorimer	2204A Carr street.
172.	J. Stenbrugge	2206 Carr street.
173.	A. J. or Ed. Jas. Vernon	2319 Wash street.
174.	Jas. J. Maloney	2352 Carr street.
175.	Wm. A. Meddy	2318 Carr street.
176.	Wm. Thorn	2327 Franklin avenue.
177.	J. H. Franklin	2333 Franklin avenue.
178.	Geo. G. Kampleman	1013 North Twenty-third street.
179.	M. Maloney	2352 Carr street.
180.	Jno. Vekard	1011 North Twenty-third street.
181.	Leroy Broughton	2311 Franklin avenue.
182.	Jas. R. Casey	2311 Franklin avenue.
183.	Wm. F. Brucker	2201 Franklin avenue.
184.	Jno. MacElhone	2319 Wash street.
185.	Jno. Ward	2218 Carr street.
186.	E. D. Shay	2304 Wash street.
187.	Wm. Hasler	2303 Franklin avenue.
188.	Thos. Dimmon	1008 North Jefferson avenue.
189.	Joe Bonhelzer	1017 North Twenty-second street.
190.	Chas. Judlin	2230 Carr street.
191.	Mart Sullivan	2307 Franklin avenue.
192.	Peter Smith	2329 Carr street.
193.	Jno. Murphy	1012 North Jefferson avenue.
194.	Morris Carey	2340 Wash street.
195.	Jno. Bradley	2340 Wash street.
196.	Jno. T. Maloney	2352 Carr street.
197.	Andy Dennison	2302 Wash street.
198.	J. B. Murphy	2204 Wash street.
199.	Thos. McCarthy	2300 Wash street.
200.	J. S. Sycamore	2326 Carr street.
201.	B. McSwiggin	2221 Wash street.
202.	Jas. Quinlesh	1008 North Jefferson avenue.
203.	Wm. M. Franklin	2333 Franklin avenue.
204.	Chas. Brinkman	2224 Wash street.
205.	Wm. Kidwell	921 North Twenty-third street.
206.	Jno. Reily	2213 Franklin avenue.
207.	H. L. Peat	2330 Wash street.
208.	Wm. Pfeiffer	2315 Wash street.
209.	Geo. Heim	2207 Franklin avenue.
210.	Henry Heim	2207 Franklin avenue.
211.	H. W. Boemler	2305 Franklin avenue.

Q. (By Mr. CLINE.) Will you examine the certificate of the judges and clerks, and state the number of votes received by the candidates for Congress in the Twelfth district of Missouri, for the short term, of the said precinct?—A. James J. Butler received 138 votes; George C. R. Wagoner received 61 votes.

Q. How many of the judges and clerks have signed the certificate to which you have referred?—A. Four judges and two clerks in each book.

Q. Will you produce the poll books used in precinct 12 of the Twenty-second Ward at said election on the 4th of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning with No. 1 and continuing consecutively and ending with and including last number?—A. Yes.

PRECINCT 12, WARD 22.

Number.	Name.	Address.
1.	Melvet S. Talbott	2 North Grand street.
2.	A. C. Scharif	3444 Pine street.
3.	L. L. McCormick	3417 Lawton street.
4.	M. L. McCormick	3417 Lawton street.
5.	J. L. Barney	3427 Laclede street.
6.	C. O. Barnes or Ames	3502 Lindell.
7.	W. J. McGrade	3528 Lawton street.
8.	H. Baer	3415 Pine street.
9.	S. Demain	3429 Laclede avenue.
10.	W. D. Grant	3558 Pine street.
11.	J. C. Smith	3441 Laclede avenue.
12.	J. Maher	4 North Grand avenue.
13.	C. Carroll	3456 Lawton.
14.	G. E. Schrader	3456 Lindell.

PRECINCT 12, WARD 22—Continued.

Number.	Name.	Address.
15.....	F. C. Labeau	3456 Lindell.
16.....	G. A. Melon	3506 Pine street.
17.....	A. H. Bruggeman	3551 Pine.
18.....	A. Boyle	3551 Pine.
19.....	J. S. Rothwell	3551 Pine street.
20.....	S. Landeau	3419 Lawton.
21.....	F. J. McDaniels	3410 Lawton.
22.....	J. B. Hagerty	3425 Lawton.
23.....	Jos. J. Painter	3532 Lawton.
24.....	J. B. Denver	3409 Pine street.
25.....	F. X. McCann	3445 Lawton street.
26.....	G. McFaden	3505 Laclede.
27.....	A. Daust	3534 Lawton street.

From the evidence of this page in entering the other poll book the mistake has been made of starting the page which should have commenced with number 28 ballot on the page which commences with 59 ballot. The page which starts with 59 immediately follows the page which starts with 28, so that No. 28 ballot in one book is No. 59 in the other, and this continues on these two pages up to the ninetyeth ballot.

Number.	Name.	Address.
28.....	Chas. Parmelee	3426 Lindell.
29.....	W. J. Leahy	3507 Lawton.
30.....	F. J. Murtfeldt	3530 Pine.
31.....	M. J. Ryan, jr	3435 Lawton.
32.....	Frank Lambert	3418 Lawton.
33.....	H. S. Keyes	3443 Lawton.
34.....	W. C. McCorry	3450 Lawton.
35.....	J. T. Kelleher	3536 Lawton.
36.....	Vincent A. McGrath	3511 Lawton street.
37.....	Geo. Geisel	3400 Lawton.
38.....	Jas. W. Lynch	3528 Pine street.
39.....	M. H. Lovey	5453 Laclede.
40.....	Albert Theis	3433 Laclede.
41.....	Frank Ford	3411 Laclede.
42.....	Michael J. McGrath	3511 Lawton.
43.....	Robt. Latz	3450 Pine street.
44.....	P. A. McDaniels	3410 Lawton.
45.....	Christ J. Riley	3413 Laclede.
46.....	F. H. Mayrose	2 North Grand avenue.
47.....	C. W. Hyde	3446 Lawton.
48.....	E. Held	3418 Laclede.
49.....	Wm. E. Arens	3447 Lawton.
50.....	W. P. Foster	3554 Lindell.
51.....	Jas. R. Hazlett	3547 Pine street.
52.....	Saml. T. Morris	3554 Lindell.
53.....	Edw. O'Reilly	3515 Lawton.
54.....	A. J. Butler	3438 Pine street.
55.....	A. M. Craig	3511A Lawton.
56.....	W. J. Dugan	3528 Pine street.
57.....	W. R. Parks	3559 Lawton.
58.....	E. C. Bestoso	3540 Pine street.
59.....	Simon Harris	3412 Pine street.
60.....	Thos. J. McCormick	3422 Lawton.
61.....	McEnnis Ring	3423 Laclede.
62.....	A. R. Fathman	3539 Laclede.
63.....	Chas. Dietrich	3547 Pine street.
64.....	Wm. F. Crow	3420 Lawton street.
65.....	J. M. Storm	3506 Pine street.
66.....	Alex. Walbarth	3542 Lawton street.
67.....	Fred Geisel	3400 Lawton street.
68.....	Wm. Lunergan	3512 Pine street.
69.....	A. J. Blosson	3507 Pine street.
70.....	Thos. J. Rowe	3416 Lawton.
71.....	P. C. Murphy	3445 Pine street.
72.....	Jno. E. Rupert	3511A Lawton.
73.....	A. J. Dobbin	3559 Lawton.
74.....	Frank Wright	3414 Pine street.
75.....	Mark Ewing	3517 Pine street.
76.....	C. C. Ruppert	3442 Lindell.
77.....	Wm. E. Jones	3442 Pine street.
78.....	A. F. Walbarth	3542 Lawton street.
79.....	R. J. Leacock	3559 Pine street.
80.....	B. Schraff	3444 Pine street.
81.....	F. L. Murphy	3445 Pine street.

PRECINCT 12, WARD 22—Continued.

Number.	Name.	Address.
82	W. M. Settle	3402A Lawton.
83	S. O. Wilford	3407 Pine street.
84	H. S. Schmidt	3417 Pine street.
85	W. D. Richards	34 2 Pine street.
86	A. N. D. McAlliston	3537 Lawton.
87	Robt. J. O'Reilly	3411 Pine street.
88	F. L. Linton	3555 Lawton.
89	J. A. Peck	3514 Lawton.
90	D. T. Fentress	3510 Lindell.
91	W. F. Bernoudy	3510 Lindell.
92	Warren F. McChesney	3441 Lawton.
93	Rich Spaner	3550 Lawton.
94	Robt. M. Foster	3533 Lawton.
95	W. J. Kelleher	3536 Lawton.
96	S. B. McPheeters	3452 Pine street.
97	A. B. Ewing	3517 Pine street.
98	Jos. Jones	3413 Laclede.
99	Jno. E. Stroth	3535 Lawton street.
100	Jas. McKenna	3527 Lawton street.

I now adjourn the taking of evidence at 5.55 p. m., January 2, 1903, to be resumed at 7 p. m., January 2, 1903.

Pursuant to adjournment, I now resume the taking of evidence, 7.30 p. m., January 2, 1903.

Number.	Name.	Address.
101	R. H. Barnes	3441 Laclede avenue.
102	H. O'Conner	3415 Laclede avenue.
103	Gaty. Pallen	3510 Lindell avenue.
104	F. B. Pallen	3510 Lindell avenue.
105	W. G. McLanahan	3529 Pine street.
106	R. B. Aughton	3559 Pine street.
107	James O'Conner	3515 Laclede avenue.
108	W. A. Barada	3545 Laclede avenue.
109	Henry Hatcher	3507 Pine street.
110	Charles J. McCauley	3507 Lawton avenue.
111	B. Gannon	3437 Laclede avenue.
112	W. F. Long	3404 Pine street.
113	H. S. Kronck	101 North Channing avenue.
114	Albert Coop	3501 Pine street.
115	G. U. Steinberger	3452 Lawton avenue.
116	U. Rogers	214 North Teresa avenue.
117	John Martin	3411 Pine street.
118	C. S. Yost	3426 Pine street.
119	H. W. Snyder	3401 Pine street.
120	J. F. Cannon	3540 Pine street.
121	B. E. Garrison	3559 Pine street.
122	W. B. Outten	3515 Pine street.

Q. I will ask you to state whether the names you have read since the resuming of testimony were read from the same poll book you read from at the adjournment, to wit, Twelfth precinct of the Twenty-second Ward, and that you now continue to read from?—A. Yes.

Number.	Name.	Address.
123	J. R. Butler	3501 Pine street.
124	James B. Bligh	3440 Lawton avenue.
125	W. G. Kelly	3511 Lawton.
126	Allen Trail	3513 Laclede avenue.
127	James Ashbrook	3533 Laclede avenue.
128	W. J. Martin	3411 Pine street.
129	Mike Delaney	3539A Lawton avenue.
130	F. E. Little	3446 Lawton avenue.
131	L. E. Jones	3442 Pine street.
132	James Cronin	3421 Laclede avenue.
133	John Martin	3519 Laclede avenue.
134	J. E. Keefer	3518 Lindell avenue.
135	James Cannon	3445 Pine street.
136	J. H. McNamara	6 North Grand.
137	Frank Swarts	3418 Lawton avenue.

PRECINCT 12, WARD 22—Continued.

Number.	Name.	Address.
138	N. D. Hogan	3516 Lawton avenue.
139	W. N. McPheeters	3452 Pine street.
140	S. A. Geisel	3400 Lawton avenue.
141	Wm. J. Pollard	14 North Grand avenue.
142	James Flannagan	4 North Grand avenue
143	Willi. Brown	3526 Pine street.
144	A. C. Robinson	3402 Pine street.
145	C. Winkelmeier	3541 Lawton avenue.
146	J. McLaughlin	3507 Lawton avenue.
147	W. T. Wheeler, sr	3535 Lawton avenue.
148	P. J. Taaffe	3518 Lawton avenue.
149	Adam D. Roth	3522 Lawton avenue.
150	L. G. McNamara	6 North Grand avenue.
151	C. S. McGranahan	3424 Pine street.
152	P. F. Grace	3416 Pine street.
153	B. S. McCloskey	3594 Lawton avenue.
154	Wm. J. Cronin	3421 Laclede avenue.
155	James J. Butler	3401 Laclede avenue.
156	Charles Brown	3501 Laclede avenue.
157	Edward Ford	3447 Lawton avenue.
158	James P. Sweeney	3500 Lawton avenue.
159	Edward J. McCann	3445 Lawton avenue.
160	Joseph C. Friel	3409 Laclede avenue.
161	Jeremiah Cahan	3419 Pine street.
162	J. E. Rielly	3413 Laclede avenue.
163	Frank P. Storm	3506 Pine street.
164	Wallace J. Fodera	3408 Lawton avenue.
165	John T. McCarthy	3451 Laclede avenue.
166	Paul W. Standing	3556 Lindell avenue.
167	John B. Denver, jr.	3409 Pine street.
168	Thomas Delehanty	3429 Pine street.
169	F. E. Knapper	3459 Lawton avenue.
170	John M. Storm	3506 Pine street.
171	J. E. Strong	3437 Lawton avenue.
172	Ollie J. Grace	3416 Pine street.
173	J. T. Picket	3522 Pine street.
174	R. J. Horsefeld	3408 Lindell avenue.
175	C. A. Trotman	3524 Lawton avenue.
176	J. E. Ryan	3420 Lindell avenue.
177	James Hazard	3516 Lawton avenue.
178	H. L. Standing	3556 Lindell avenue.
179	L. J. McCarthy	3451 Laclede avenue.
180	Dennis Daley	3516 Lawton.
181	C. D. Whitsom	3427½ Laclede avenue.
182	F. Etling	3420 Lindell.
183	Lawrence Doran	4 North Grand.
184	Wm. P. Matthews	3441 Pine street.
185	O. P. McCarthy	3451 Laclede avenue.
186	Phillip J. Butler	3438 Pine street.
187	John Graghty	3420 Lindell avenue.
188	B. Murphy	3425 Pine street.
189	Ed M. Davis	3413 Lawton avenue.
190	C. H. Meyer	3539A Lawton.
191	Ed Ring	3423 Laclede avenue.
192	Emilin Mallinckrodt	3446 Pine street.
193	F. M. Norris	3548 Lindell avenue.
194	Honry Lindenschmidt	3450 Lawton.
195	Ernest Dishon	3426A Lindell.
196	P. H. Jones	3444 Lindell.
197	H. W. McChesney	3441 Lawton.
198	J. P. Dubail	3405 Lawton.
199	Robt. H. Morgan	3449 Laclede.
200	Charles Sonneman	3432 Lindell.
201	August Fellhauser	103 North Channing.
202	James J. Ring	3422 Laclede avenue.
203	Joseph N. Weber	3408 Lawton.
204	W. L. McCormack	3544 Lindell.
205	Isaac Harris	3412 Pine street.
206	Jno. W. Lynan	3530 Lawton.
207	James Murry	3413 Lawton.
208	Harry Bressler	10 North Grand avenue.
209	John W. Davis	103 North Channing.
210	Thomas A. Healy	3528 Lindell.
211	F. E. Knapper	3450 Lawton avenue.
212	D. T. Mulvill	3547 Laclede.
213	F. A. Schafer	3547 Laclede.
214	J. Girard	3547 Laclede.
215	Tim. Clifford	3516 Lawton.
216	C. W. Hopkins	3447 Lawton avenue.
217	Edward Sr	3501 Pine street.
218	Gaston Longuemare	3441 Laclede.
219	Patrick O'Sullivan	3501 Lawton avenue.
220	Wm. L. Greene	3445 Pine street.

PRECINCT 12, WARD 22—Continued.

Number.	Name.	Address.
221	J. B. Walsh	351A Lawton avenue.
222	Geo. S. Reese	3447 Lawton avenue.
223	Joseph N. Reese	3447 Lawton.
224	Edw. J. O'Connor	3507 Laclede.
225	Joseph Kennedy	218 North Grand.
226	B. Standing	3556 Lindell.
227	John Friel	3409 Laclede avenue.
228	Lee N. Wagoner	3544 Lindell.
229	A. Croghan	3506 Lawton.
230	Edw. Butler, jr.	3522 Pine street.
231	John McLaughlin	3507 Lawton.
232	N. T. Caperlin	221 North Channing.
233	Edw. W. Bernard	3456 Lindell.
234	J. S. McConathy	3509 Lawton.
235	K. A. McDonald	3421 Laclede.
236	W. P. Wheeler, jr.	3535 Lawton.
237	Nicholas Webber	3408 Lawton.
238	Joseph S. Chamberlin	3418 Lawton.
239	B. E. Clifford	3418 Lawton.
240	Wm. C. McChesney	3441 Lawton.
241	Ben D. Linton	3555 Lawton.
242	W. J. Pennington	3406 Lawton.
243	P. G. Linchey	3501 Pine.
244	N. W. Ewing	3517 Pine street.
245	Walter Scott	3402 Lawton.
246	N. B. Bracken	3417 Laclede.
247	T. Lyman	3530 Lawton.
248	Wm. Meiners	3456 Lawton.
249	Geo. Ryan	3435 Lawton.
250	L. B. Ryan	3435 Lawton.
251	B. L. McCarthy	3451 Laclede.
252	John Davis	3413 Lawton.
253	Rich Davis	3413 Lawton.
254	J. J. Gannon	3437 Laclede.
255	H. S. Graves	3526 Lawton avenue.
256	N. L. Pierce	3544 Lindell.
257	W. L. Shumaker	3544 Lindell.
258	Burney Grace	3416 Pine street.
259	T. N. Grace	3416 Pine.
260	Henry Mangels	3422 Lawton.
261	Leslie Campbell	12 North Grand.
262	Thomas F. Davis	3412 Lawton.
263	F. E. Grote	3409 Lawton.
264	Q. Gilliland	3441 Laclede.
265	C. E. Vatteling	8 North Grand.
266	James F. Butler	3453 Lawton.
267	Thos. F. McLaughlin	3507 Lawton.

Q. Will you now read the vote received by each Congressional candidate for the short term as certified to by the judges in the poll books from which you have just read?—A. James J. Butler, received 190 votes; George C. R. Wagoner received 75 votes; Henry H. Artz received 2 votes.

Q. How many judges and clerks signed the poll books?—A. Four judges and two clerks, in both books.

Q. Will you produce the poll books used in precinct No. 13 of the Twenty-third Ward at said election on the 4th of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each book?—A. Yes.

Number.	Name.	Address.	Number.	Name.	Address.
1	W. B. Finch	None.	12	T. Denough; on other	None.
	Other book, W. B. Finch.	3602 Laclede.		book, Donahan.	
2	F. Bauer	None.	13	R. Sorber	None.
3	T. F. Carey	None.	14	G. R. Blackford	None.
4	C. N. Long	None.	15	N. Newton	None.
5	C. Debeaux	None.	16	O. C. Johnson	None.
6	L. Miller	None.	17	J. Sharp	None.
7	W. Lucas	None.	18	T. Groos	None.
8	W. Holmes	None.	19	C. Robinson; on other	None.
9	H. C. Simpson	None.		book C. Bobison.	
10	J. Bailey	None.	20	E. Jenkins	None.
11	J. Kelly	None.	21	L. Nash	None.
			22	T. Walsh	None.

Number.	Name.	Address.	Number.	Name.	Address.
23.	J. Wynne	None.	49.	W. J. Frein	None.
24.	C. Ray	None.	50.	J. Saurbry	None.
25.	J. Schaeffer	None.	51.	P. Noonan	None.
26.	J. Keithman; on other book, Keithmar.	None.	52.	C. O'Rourke	None.
27.	W. Scott	None.	53.	J. Cummings	None.
28.	D. Coops; on other book D. Cops.	None.	54.	W. Slye	None.
29.	W. Scott	None.	55.	R. Hill	None.
30.	J. Musick	None.	56.	J. Foley	None.
31.	M. Wilson	None.	57.	G. Frost	None.
32.	J. James	None.	58.	J. W. Bealle	None.
33.	G. Lucas	None.	59.	J. Allen	None.
34.	A. Dulard; other book, Dulanard.	None.	60.	J. Rothchild	None.
35.	J. Selichman	None.	61.	J. Snyder	None.
36.	A. A. Morquardt	None.	62.	F. Huntelbrinker	None.
37.	A. Cummings	None.	63.	D. Foley	None.
38.	W. Fay	None.	64.	R. B. Dunstell	None.
39.	B. Franklin	None.	65.	L. B. Fredman	None.
40.	L. H. Lay	None.	66.	H. Fredman	None.
41.	N. Everett	None.	67.	H. Y. Schire	None.
42.	P. L. Gerby	None.	68.	J. J. Prendergast	None.
43.	W. Walberger	None.	69.	L. H. Luders	None.
44.	R. E. Wilcox	None.	70.	O. C. Heigold	None.
45.	H. Cummings	None.	71.	J. G. Maxwell	None.
46.	E. M. Carr	None.	72.	F. Evans	None.
47.	J. J. Smythe	None.	73.	T. Appell	None.
48.	L. Seaburger	None.	74.	A. F. Krause	None.
			75.	A. Klogman	None.
			76.	H. Leach	None.

I now adjourn the taking of evidence, at 10.30 p. m., January 2, 1903, until 9 a m., January 3, 1903.

I now resume the taking of evidence at 9.30 a. m. January 3, 1903, pursuant to adjournment.

By Mr. HOLT CAMP:

Q. You will now resume reading from the poll book the thirteenth precinct of the Twenty-third Ward. at the name following the one you read last.

PRECINCT 13, WARD 23.

Number.	Name.	Address.	Number.	Name.	Address.
77.	L. Petri	None.	111.	M. O'Comer	None.
78.	C. Petri	None.	112.	A. Lemberger	None.
79.	W. D. Cook	None.	113.	T. W. Larimore	None.
80.	J. Flynn	None.	114.	J. J. Lannigan	None.
81.	J. N. Schoppt	None.	115.	G. Bardonheir	None.
82.	G. F. Cooke	None.	116.	E. G. Deacon	None.
83.	W. F. Ernest	None.	117.	F. N. Heany	None.
84.	P. S. Hogan	None.	118.	J. Lowry	None.
85.	C. J. Hunne	None.	119.	J. Weiss	None.
86.	G. Krieghauser	None.	120.	S. J. Smith	None.
87.	A. M. Price	None.	121.	P. Robyn	None.
88.	P. G. Muth	None.	122.	A. Aeple	None.
89.	L. Lowry	None.	123.	A. W. Golden	None.
90.	A. J. Price	None.	124.	C. F. Lesser	None.
91.	W. Bartley	None.	125.	C. Flood	None.
92.	G. Schultz	None.	126.	C. F. Meiherr	None.
93.	J. Saurberg	None.	127.	G. H. Schirr	None.
94.	P. Sullivan	None.	128.	Jno. Yempleton	None.
95.	J. A. Knapp	None.	129.	Gottlieb Wortmar	None.
96.	J. Lannigan	None.	130.	H. H. Quinn	None.
97.	H. L. Smith	None.	131.	F. Muldsen	None.
98.	W. Clarkson	None.	132.	Henry Brown	None.
99.	L. Knecht	None.	133.	D. Franklin	None.
100.	W. Hanson	None.	134.	D. Ellis	None.
101.	J. J. Flood	None.	135.	C. Brown	None.
102.	J. L. Noonan	None.	136.	Wm. Clifford	None.
103.	W. L. Wilcox	None.	137.	Jno. Dean	None.
104.	B. C. Klein	None.	138.	Asa Parker	None.
105.	P. Geery	None.	139.	J. T. Waddell	None.
106.	W. J. Johnson	None.	140.	G. Wilson	None.
107.	W. Bulzer	None.	141.	W. Bell	None.
108.	T. Gaines	None.	142.	E. Moore	None.
109.	C. J. McCarthy	None.	143.	B. Thomas	None.
110.	J. Dee	None.	144.	T. Waters	None.

PRECINCT 13, WARD 23—Continued.

Number.	Name.	Address.	Number.	Name.	Address.
145.	J. Nugent	None.	223	A. Dumas	None.
146.	R. Nash	None.	224	A. James	None.
147.	R. Smith	None.	225	F. Quarles	None.
148.	E. Curtis	None.	226	W. Fox	None.
149.	F. Price	None.	227	J. Wells	None.
150.	F. Smith	None.	228	G. Perry	None.
151.	J. Jenkins	None.	229	J. Neil	None.
152.	W. C. Lane	None.	230	C. Martin	None.
153.	T. W. Wildberger	None.	231	H. Nelson	None.
154.	D. Berdan; other book, D. Reardon.	None.	232	J. L. Moore, other book, J. Elmore.	None.
155.	A. Pepmoeller	None.	233	J. McGee	None.
156.	L. Miller	None.	234	M. Offer	None.
157.	R. Hoeller	None.	235	W. Brown	None.
158.	J. L. Holmes	None.	236	W. Morgan	None.
159.	A. Hoffman	None.	237	J. J. Hogan	None.
160.	J. Coughlin	None.	238	W. Conroy	None.
161.	J. E. Cummings	None.	239	No initials Glockner.	None.
162.	W. Thomas	None.		same on both books.	
163.	G. House	None.	240	No initials Ford, same on both books.	None.
164.	W. Brown	None.	241	J. Proctor	None.
165.	A. Moore	None.	242	D. Neally	None.
166.	A. Huff	None.	243	J. Cooper	None.
167.	F. Banks	None.	244	F. Douglas	None.
168.	J. Sims	None.	245	R. Shane	None.
169.	J. Wells	None.	246	J. Robinson	None.
170.	W. Christian	None.	247	F. G. Gerhard	None.
171.	H. Jones	None.	248	J. Quarles	None.
172.	J. Carter	None.	249	W. Overshaw	None.
173.	A. Cook	None.	250	C. Link	None.
174.	J. Johnson	None.	251	G. Williams	None.
175.	J. Hill	None.	252	C. Wilson	None.
176.	J. W. Sutton	None.	253	E. Moor	None.
177.	M. Johnson	None.	254	R. Nash	None.
178.	F. Waters	None.	255	G. Wilson	None.
179.	C. W. Noll	None.	256	J. Jones	None.
180.	W. C. Johnson	None.	257	Ed. Brown	None.
181.	E. Berneman	None.	258	Ed. Albert	None.
182.	N. Wilhelm	None.	259	J. Atkins	None.
183.	J. J. Roach	None.	260	Ed. Brown	None.
184.	W. Green	None.	261	T. Perkins	None.
185.	G. Stanton	None.	262	W. Allen	None.
186.	W. John	None.	263	D. W. O'Connor	None.
187.	W. Knapp	None.	264	A. Simpson	None.
188.	J. Alexander	None.	265	W. Monroe	None.
189.	M. Smith	None.	266	J. Jones	None.
190.	H. Treir	None.	267	F. Brown	None.
191.	C. Moll; other book, C. Noll.	None.	268	W. Bright, other book Britt.	None.
192.	J. O'Conner	None.	269	J. Johnson	None.
193.	R. E. Carr	None.	270	R. Hunter	None.
194.	J. Smyth	None.	271	A. Moore	None.
195.	R. Hunter	None.	272	J. Perkins	None.
196.	J. Smith	None.	273	B. Casey	None.
197.	W. Overshaw, other book, Overshaw	None.	274	A. Cook	None.
198.	O. Jackson	None.	275	J. Morris	None.
199.	G. Cooper	None.	276	F. Clark	None.
200.	P. Jones	None.	277	M. Johnson	None.
201.	J. Bailey, other book J. Barkley.	None.	278	B. Wade	None.
202.	J. W. Neil	None.	279	J. Wright	None.
203.	H. Noll	None.	280	F. Jones	None.
204.	J. A. Adams	None.	281	W. Atwood	None.
205.	W. S. Davis	None.	282	F. Smith	None.
206.	E. Oertel	None.	283	H. Smith	None.
207.	L. Rahe	None.	284	O. Jackson	None.
208.	J. Burmasser	None.	285	A. Benton	None.
209.	J. J. Noonan	None.	286	J. Dee	None.
210.	P. J. Noonan	None.	287	J. Fomer	None.
211.	H. M. Thomas	None.	288	J. Sanders	None.
212.	H. Jones	None.	289	G. Williams	None.
213.	J. Smyth, other book J. Smith.	None.	290	J. Collins	None.
214.	E. Anderson	None.	291	B. Wade	None.
215.	J. Davis	None.	292	J. White	None.
216.	G. Jones	None.	293	J. Jones	None.
217.	J. Crow	None.	294	B. Casey	None.
218.	R. Johnson	None.	295	E. Johnson	None.
219.	F. Brown	None.	296	J. Wilkinson	None.
220.	C. Green	None.	297	J. Williams	None.
221.	W. Thomas	None.	298	F. Wall	None.
222.	G. Day	None.	299	C. Wilson	None.
			300	E. Mockler	None.
			301	W. Smith	None.

PRECINCT 13, WARD 23—Continued.

Number.	Name.	Address.	Number.	Name.	Address.
302.	W. Scott	None.	369.	J. Mooney	None.
303.	J. Taylor	None.	370.	G. Schirr	None.
304.	T. Cropper	None.	371.	F. D. Gordon	None.
305.	F. Thornton	None.	372.	J. H. Borneman	None.
306.	H. Thomas	None.	373.	J. Donahue	None.
307.	D. Franklin	None.	374.	J. Campbell	None.
308.	J. Henry	None.	375.	J. A. Foehreint	None.
309.	A. Chapman	None.	376.	M. McDonald	None.
310.	J. Williams	None.	377.	M. Driscoll	None.
311.	G. White	None.	378.	D. McGuire	None.
312.	G. Houre	None.	379.	G. W. Keine	None.
313.	A. Hutt	None.	380.	A. Holtgrave	None.
314.	M. Tyler	None.	381.	G. B. Freir	None.
315.	W. Davis	None.	382.	J. McDonald	None.
316.	C. Stanley	None.	383.	P. M. Griffith	None.
317.	C. Wilson	None.	384.	W. E. Russell	None.
318.	G. Gray	None.	385.	J. E. Lewis	None.
319.	F. Wacker	None.	386.	G. W. Gibson	None.
320.	A. Robinson	None.	387.	J. A. Donahue	None.
321.	H. Hall	None.	388.	J. Bock	None.
322.	B. Harrison	None.	389.	W. Mitchell	None.
323.	J. Harper	None.	390.	H. Tucker	None.
324.	A. Gurry	None.	391.	J. Mack	None.
325.	A. Rider; other book. Ryder.	None.	392.	J. Farley	None.
326.	G. A. James	None.	393.	B. Kenett	None.
327.	J. W. Johnson	None.	394.	F. J. Hickey	None.
328.	H. C. Simpson	None.	395.	W. Quigley	None.
329.	F. Grace	None.	396.	H. Williams	None.
330.	J. J. McDonald	None.	397.	G. Burns	None.
331.	J. McGee	None.	398.	L. Meinhardt	None.
332.	D. McGuire	None.	399.	G. Walker	None.
333.	E. McCue	None.	400.	L. Fisher	None.
334.	J. J. McKay	None.	401.	E. Deacon	None.
335.	M. McDonald	None.	402.	H. Griffer	None.
336.	R. Long	None.	403.	E. Oertell	None.
337.	G. Guger	None.	404.	W. Walsh	None.
338.	J. W. Ashman	None.	405.	A. J. McFerman	None.
339.	H. Abrahams	None.	406.	W. L. Hayes	None.
340.	E. Albert	None.	407.	J. R. Thomas	None.
341.	B. Cleary	None.	408.	E. Bartley	None.
342.	J. Schafer	None.	409.	G. E. Cannon	None.
343.	J. Banks	None.	410.	A. Bonquitz	None.
344.	E. Oswald	None.	411.	J. R. Saurby	None.
345.	E. Stewart	None.	412.	E. Schloss	None.
346.	H. Ingalls	None.	413.	L. Gray	None.
347.	A. Cook	None.	414.	L. Nash	None.
348.	E. M. Schafer	None.	415.	T. Gross	None.
349.	E. Rorber	None.	416.	J. J. McCabe	None.
350.	H. Schafer	None.	417.	W. Coussins	None.
351.	J. Smith	None.	418.	R. M. Barnett	None.
352.	R. Moore	None.	419.	J. McDonald	None.
353.	C. W. Marshall	None.	420.	J. J. Noonan	None.
354.	E. Moore	None.	421.	B. C. Liphardt	None.
355.	S. B. Marsh	None.	422.	E. Randall	None.
356.	C. Miller	None.	423.	H. Russell	None.
357.	R. Moore	None.	424.	T. Bushwell	None.
358.	W. A. Kopp	None.	425.	E. W. P. Hill	None.
359.	J. Weis	None.	426.	J. Wagner	None.
360.	R. Walton	None.	427.	T. F. Burke	None.
361.	F. Winchester	None.	428.	A. Backer	None.
362.	M. Cody	None.	429.	F. Scott	None.
363.	G. Canton	None.	430.	M. Murphy	None.
364.	J. Kenerally	None.	431.	P. McDonald	None.
365.	W. D. Koch	None.	432.	Ed. Schafer	None.
366.	J. B. Freir	None.	433.	E. McDonald	None.
367.	O. M. Reinald	None.	434.	G. W. McElroy	None.
368.	R. A. Templeton	None.	435.	O. Schalgel	None.

Q. (By Mr. KINZIE.) Have you now completed reading the numbers, names, and addresses from these books as they appear thereon?—A. Yes.

Q. I will ask you to state whether in either of these books the addresses or residences of the voters recorded therein is given in either of the books?—A. No, except in number one in one of the books W. B. Finch, 3692 Laclede avenue, is given in one book and not in the other.

Q. Turn to the certificate of the judges and clerks attached to these poll books and read therefrom the number of votes certified to have been cast for the several

candidates for Congress in the Twelfth district for the short term.—A. James J. Butler received 362 votes. George C. R. Wagoner received 69 votes.

Q. Are both of these books signed by the four judges and two clerks of election?—A. They are.

CITY OF ST. LOUIS, *State of Missouri*, ss:

I, John A. Sloan, being duly sworn as aforesaid, testify that all of the numbers, names, and addresses appearing in the foregoing deposition were written down in my presence, and that the same are recorded as they appear in the poll books produced and read from as above.

Subscribed in my presence and sworn to before me this 3d day of January, 1903.

Notary Public, City of St. Louis, Mo.

My term will expire June 24, 1906.

GEORGE W. RINKLE and LOUIS P. MASTERSON, being duly sworn, on the part of contestant testify as follows:

Q. You are the two clerks of the election commissioners who have testified before Mr. J. T. Sanders?—A. Yes.

Q. Have you in your possession the poll books used in the sixth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo.?—A. Yes.

Q. These are the books received by you from Mr. Moore and Mr. Regan; you have charge of them for the election commissioners?—A. Yes.

Q. Please take these books and read the numbers, names, and addresses recorded therein, beginning with No. 1 and continuing in consecutive order, to and including the last number.

Mr. WALSH. The contestee has agreed to allow this method of procedure for the purpose of facilitating this work and avoiding the charge so frequently made that the contestee and his attorneys were obstructing and endeavoring to consume time in this investigation. We realize that it is ridiculous and impossible for the notary, William D. Moore, to take the depositions of Messrs. Rinkle and Master-son on one hand and Jourdan and Sloan on the other, making two sets of depositions being heard before the same notary at the same time.

Number.	Name.	Address.
1.....	Jno. L. Homan	2231 Adams street.
2.....	Jno. Brooks	2239 Scott avenue.
3.....	Eugene Flood	312 South Twenty-third street.
4.....	A. Nagel	2213 Randolph street.
5.....	J. W. Muse	532 South Twenty-third street.
6.....	Herman Hake	2210 Adams street.
7.....	E. Cabell	2235 Scott avenue.
8.....	James D. Franklin	518 South Twenty-third street.
9.....	J. A. Macknulty	2204 Eugenia street.
10.....	John Wanger	209 South Twenty-second street.
11.....	Chas. F. Lawrence	2203 Adams street.
12.....	M. Emmett	210 South Twenty-third street.
13.....	John Grogan	208 South Twenty-third street.
14.....	Geo. Allison	2232 Adams street.
15.....	Chas. Armholt	2215 Adams street.
16.....	Paul Snider	205 South Twenty-second street.
17.....	F. O. Blunt	2243 Scott avenue.
18.....	Wm. Margenan	2234 Adams street.
19.....	Ed. Rachford	2210 Clark avenue.
20.....	Jno. Morganan	2234 Adams street.
21.....	Wm. F. Schulte	2244 Randolph street.
22.....	Albert Oliver	2223 Scott avenue.
23.....	James J. Billenew	2215 Adams street.
23.....	James J. Bellew	2215 Adams street.
24.....	C. Deer	2206 Adams street.
25.....	W. P. Wait	2226 Randolph street.
26.....	Moses Page	523 South Twenty-second street.
27.....	M. Tyler	2243 Scott avenue.
28.....	W. G. Smith	2238 Adams street.
29.....	C. Bachman	2209 Randolph street.
30.....	R. H. Gratt	2206 Adams street.
31.....	R. A. Sparks	2204 Eugenia street.
32.....	T. J. O'Brien	206 South Twenty-third street.
33.....	Jacob Hunt	2236 Clark avenue.
34.....	John O'Neil	2220 Adams street.
35.....	Frank Swarts	2242 Adams street.

Number.	Name.	Address.
36	Frank Miller	2208 Adams street.
37	Chas. McGee	2208 Adams street.
38	J. E. Morrisey	2201 Adams street.
39	Julius Wendel	320 South Twenty-second street.
39	J. Wendel	320 South Twenty-third street.
40	Geo. Higdon	315 South Twenty-second street.
41	J. P. Fleckey	2216 Randolph street.
41	C. Flecke	2216 Randolph street.
42	E. E. Schneblein	2239 Randolph street.
43	Wm. Schwartz	404 South Twenty-third street.
44	John J. Kunz, jr.	2240 Clark avenue.
45	J. B. Dathridge	2201 Clark avenue.
46	John King	2202 Scott avenue.
47	Henry Fuller	2247 Clark avenue.
48	G. L. Carnahan	2201 Adams street.
49	James Burns	316 South Twenty-third street.
50	Patrick O'Brien	206 South Twenty-third street.
51	Richard Cahill	2222 Adams street.
52	Chas. Boudniet, jr.	2201 Clark avenue.
53	W. F. Eichstein	2208 Clark avenue.
54	Fred Holthouse	2240 Adams street.
55	John O'Neil	2220 Adams street.
56	Albert Eickman	2201 Clark avenue.
57	James Gore	2214 Clark avenue.
58	R. E. Bellecour	318 South Twenty-second street.
58	R. E. Belecour	218 South Twenty-second street.
59	Chas. King	509 South Twenty-second street.
60	J. P. O'Neil	2220 Adams street.
61	Ed. Hall	2231 Clark avenue.
62	Abe Woods	2231 Clark avenue.
63	Thos. Britton	2231 Clark avenue.
64	Chas. Williams	2231 Clark avenue.
65	Jno. H. Fox	2231 Clark avenue.
66	Leon Simms	2229 Clark avenue.
67	Thos. Russell	2229 Clark avenue.
68	James Taylor	2243 Scott avenue.
69	Ellis Jones	2229 Clark avenue.
70	Harry Polk	2229 Clark avenue.
70	H. Pope	2229 Clark avenue.
71	Artie Johnson	2229 Clark avenue.
72	Wm. Cook	2225 Scott avenue.
73	John Russell	2231 Clark avenue.
74	J. L. King	2202 Scott avenue.
75	J. J. Kunz, sr.	2240 Clark avenue.
76	Sam Parker	2231 Clark avenue.
77	Louis Schnebling	2239 Randolph street.
77	Louis Schneblin	2239 Randolph street.
78	A. J. Higgin	2229 Adams street.
79	Wm. Keel	2210 Adams street.
80	W. J. Peters	2224 Adams street.
81	P. Murphey	22154 Scott avenue.
82	T. Fanning	211 South Twenty-second street.
83	F. Ashley	203 South Twenty-second street.
84	Chas. Turner	2217 Scott avenue.
85	Jno. Hooper	201 South Twenty-second street.
86	J. Bruen	2210 Eugenia street.
87	Wm. Haffey	2234 Scott avenue.
88	F. Smith	2210 Eugenia street.
89	J. J. (or J. L.) Jones	2209 Adams street.
90	G. W. Scott	2209 Adams street.
91	Thos. Morriss	203 South Twenty-second street.
92	J. D. Reed	201 South Twenty-second street.
93	Wm. W. Ellis	2214 Adams street.
94	Chas. Holland	2234 (or 2244) Randolph street.
95	L. A. Wagoner	2218 Adams street.
96	M. Coffee	203 South Twenty-second street.
97	O. Wilson	2204 Eugenia street.
98	J. F. McDonald	2209 Adams street.
99	B. Slater	2204 Eugenia street.
100	W. F. English	2241 Randolph street.
101	H. Stevenson	209 South Twenty-second street.
102	M. Griffith	2234 Scott avenue.
103	H. Shields	2204 Eugenia street.
104	P. Tucker	2210 Eugenia street.
105	J. O'Keefe	2210 Eugenia street.
106	J. King	2219 Adams street.
107	Walter Holthouse	2240 Adams street.
108	W. Birmingham	203 South Twenty-second street.
109	W. Butler	2209 or 2207 Adams.
110	F. Herbert or Hervert	2208 Eugenia street.
111	G. C. Lowry	201 South Twenty-second street.
112	Jno. Scott	2211 Adams street.
113	H. O. Cook	2214 Clark avenue.
114	G. Boston	2200 Clark avenue.
115	O. Hartman	2234 Adams street.

Number.	Name.	Address.
116	M. Costello	2214 Clark avenue.
117	A. Harlan	2213 Randolph street.
118	Thos. Finnegan	2201 Randolph street.
119	F. Connelly	2201 Randolph street.
120	M. J. Duffy	2224 Adams street.
121	Ed. Meyer	2224 or 2234 Clark.
122	Thos. Pomroy	2244 Randolph street.
123	Wm. Wagoner	2223 Adams street.
124	J. Olery	2216 Clark avenue.
125	Max Wunsch	2206 Adams street.
126	J. B. Stevens	200 South Twenty-third street.
127	Henry Williams	2230 Adams street.
128	Adolph Winkelman	2220 Scott avenue.
129	R. Fetoff	2220 Scott avenue.
130	H. Weismiller	2215 1/2 Scott avenue.
131	Jos. Wilson	2240 Randolph street.
132	B. McCarthy	209 South Twenty-second street.
133	D. Nortrup	2242 or 2240 Randolph street.
134	J. S. Sparks	2200 Randolph street.
135	W. D. Rogers	2219 Adams street.
136	C. C. Knox	2214 Clark avenue.
137	W. Carey	2201 Adams street.
138	I. J. White	2238 Randolph street.
139	M. Ryan	2212 Adams street.
140	G. Troop	2219 Adams street.
141	R. H. Grate	2206 Adams street.
142	W. Wagoner	2223 Adams street.
143	G. O. Hall	2234 Adams street.
144	E. Snezler or Snezlin	2200 Clark avenue.
145	W. Casey	2216 Clark avenue.
146	R. Bacon	2222 Adams street.
147	W. Hill	2222 Adams street.
148	G. Jones	2205 Adams street.
149	E. Rogan	2221 Randolph street.
150	A. Rose	2226 Clark avenue.
151	R. H. Tredell	2214 Adams street.
152	J. Murray	2224 Adams street.
153	Geo. Flaherty	2233 Adams street.
154	Henry W. Kicker	2200 Randolph street.
155	R. Kipper	2206 Clark avenue.
156	O. A. Hartwick	318 South Twenty-third street.
157	W. Birmingham	203 South Twenty-second street.
158	W. Cook	2235 Scott avenue.
159	E. Dolan	2201 Randolph street.
160	L. L. Fox	404 South Twenty-third street.
161	G. Goodhall	2216 Clark avenue.
162	J. L. Holman	2231 Adams street.
163	E. A. Dean	509 South Twenty-second street.
164	Lonzo Bell	2229 Clark avenue.
165	W. J. Kelly	2230 Clark avenue.
166	Peter McMahon	209 South Twenty-second street.
167	M. Volk	205 South Twenty-second street.
168	J. Harrigan	203 South Twenty-second street.
169	O. Lovell	2231 Randolph Street.
170	F. McAdams	2210 Clark avenue.
171	E. Martin	2219 Clark avenue.
172	P. Messner	2203 Adams street.
173	F. Morris	216 South Twenty-third street.
174	Henry Knaty	2219 Adams street.
175	B. Olden	2202 Clark avenue.
176	M. Page	519 South Twenty-second street.
177	W. D. Rogers	2219 Adams street.
178	C. Shields	2214 or 2204 Eugenia street.
179	M. Lorensen	2209 Adams street.
180	G. Dillman	207 South Twenty-second street.
181	J. McGann	2231 Randolph street.
182	Mikel Murrey	322 South Twenty-third street.
183	J. P. Ready	2223 Randolph street.
184	T. Rottman	2221 Clark avenue.
185	Pat. Hunt	2210 Clark avenue.
186	R. Schlaggenweit	2243A Clark avenue.
187	D. Drake	522 South Twenty-third street.
188	J. Dopin	2201 Randolph street.
189	J. Duffy	2231 Randolph street.
190	L. L. Fox	404 South Twenty-third street.
191	T. Fanning	211 South Twenty-third street.
192	A. Glaser or Glover	532 South Twenty-third street.
193	L. Gaus	2243 Scott avenue.
194	D. Gay	2216 Clark avenue.
195	F. Pauley	317 South Twenty-second street.
196	J. Reed	2225 Scott avenue.
197	C. Speh	2204 Clark avenue.
198	G. Shellhorn	2203 Eugenia street.
199	M. Meyer	2221 Clark avenue.
200	P. K. Halderman	412 South Twenty-third street.

Number.	Name.	Address.
201	J. Schneblin	2239 Randolph street.
202	J. V. Kapecky	2215 Scott avenue.
203	H. Hake	2210 Adams street.
204	F. C. Harlane	2213 Randolph street.
205	H. Hill	2209 or 2210 Adams street.
206	J. Harrigan	203 South Twenty-second street.
207	J. Harper	201 South Twenty-second street.
208	W. H. Keston	2242 Randolph street.
209	J. Kain	519 South Twenty-second street.
210	J. Krueger	2220 Scott avenue.
211	J. O'Reilly	216 South Twenty-third street or 316 South Twenty-second street.
212	I. J. White	2238 Randolph street.
213	T. B. Cail	2236 Adams street.
214	C. M. Ernst	2220 Adams street.
215	F. Holthouse, jr	2240 Adams street.
216	T. Kinnavy	2238 Randolph street.
217	H. Craig	523 South Twenty-second street.
218	J. C. Grucker	2211 Scott avenue.
219	C. Sharpe	2214 Adams street or Clark avenue.
220	D. Hunt	2225 Scott avenue.
221	T. Reddington	2201 Randolph street.
222	F. L. Dillmeyer	2216 Adams street.
223	J. Rochow	203 South Twenty-second street.
224	Wm. Davenport	2214 Clark avenue.
225	C. W. Westmeyer	2206 Adams street.
226	H. Weiner	2221 Adams street.
227	C. Wheeler	205 South Twenty-second street.
228	H. J. Webb	2214 Adams street.
229	E. White	2219 Adams street.
230	C. Williams	2231 Clark avenue.
231	T. Turner	520 South Twenty-third street.
232	G. La Fan	2200 Clark avenue.
233	L. Simms	2229 Clark avenue.
234	J. T. Smith	2226 Adams street.
235	T. Humphrey	2233 Scott avenue.
236	M. Meyers	2210 Eugenia street.
237	R. B. Dougherty	2213 Adams street.
238	H. Dill	2201 Adams street.
239	E. P. Pratt	2210 Clark avenue.
240	Martin Conroy	2215 Adams street.
241	J. H. Gorman	2223 Randolph street.
242	T. F. Murphy	2245 Clark avenue.
243	G. Moseley	2227 Scott avenue.
244	F. Holthouse	2240 Adams street.
245	G. Fritz	322 South Twenty-third street.
246	P. J. Weigel	2234 Adams street.
247	E. Murphy	2212 Adams street.

Q. Turn to the certificate of judges and clerks and give the votes for the candidates for the short term for the Twelfth Congressional district of Missouri.—A. James J. Butler received 190 votes, G. C. R. Wagoner received 55 votes.

Q. State whether certificate is signed by four judges and two clerks?—A. Yes.

I now adjourn the taking of evidence for a recess from 12.45 p. m., December 31, until 2 p. m., December 31.

I now resume taking the testimony at 2.15 p. m., December 31, pursuant to adjournment.

Q. Will you now produce poll books used in eleventh precinct. Fourteenth Ward, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and residences of the voters recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

PRECINCT 11, WARD FOURTEEN.

Number.	Name.	Address.
1	Edward Cooney	2639 Adams street.
2	Edgar Williams	2722 Clark avenue.
3	C. F. Fuschs	2629 Bernard street.
4	Thos. B. Williams	2647 Adams street.
5	Raymond Daubaignan	2731 Bernard street.
6	Gerimiah Fox	2713 Clark avenue.
7	Fred Bergman	2736 Clark avenue.
8	Edward Fitzgibbon	2711 Bernard street.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
9	Chas. Gustofson	2728 Clark avenue.
10	Laughlin Smith	2817 Adams street.
11	Wm. Beers	239 South Beaumont street.
12	Thos. Grady	2635 Adams street.
13	Chas. Hohmann	2802 Adams street.
14	W. L. Ferriser or Fannan	2739 Clark avenue.
15	Wm. Hyde	2835 Adams street.
16	Martin Gannoway	421 South Leffingwell.
17	A. Broom	2629 Bernard street.
18	E. R. Richards	2704A Adams street.
19	J. H. Covens	2617 Bernard street.
20	Wm. Whalen	2713 Clark avenue.
21	Walter Cole	2735 Clark avenue.
22	Jacob Schneider	2706 Adams street.
23	Harry M. Spencer	2828 Clark avenue.
25	James E. Jones	2626 Adams street.
26	Jno. Reece	2730 Adams street.
27	Jno. Burke	2723 Bernard street.
28	Wm. H. Barnes	2708 Adams street.
29	Jeff Hale	2813 Adams street.
30	Anton Herman	2751 Clark avenue.
31	Peter McDonald	2716 Clark avenue.
32	Wm. Ford	2727 Clark avenue.
33	Jno. Burns	2726 Adams street.
34	Richard Cullen	307 South Leffingwell.
35	W. Nolan	2648 Adams street.
36	Wm. H. Nordman	2708 Adams street.
37	James Coffey	2730 Clark avenue.
38	Geo. T. Byrnes	2650A Adams street.
39	Martin Reus	2629 Adams street.
40	C. F. Lockhart	2718 Adams street.
41	B. J. Bradley	2715 Clark avenue.
42	Andrew McGrew	2739 Clark avenue.
43	A. Walz	2731 Clark avenue.
44	Max Jacobs	2824 Clark avenue.
45	W. K. Hanay	2672 Adams street.
46	J. C. Taban	2738 Clark avenue.
47	Jack Duace	2823 Adams street.
48	Frank W. Others	415 South Jefferson.
49	Talmag. Walton	2739 Adams street.
50	R. A. Rome	2615A Adams street.
51	Wm. Jines	2814 Adams street.
52	Alfred R. Rowe	2615 Adams street.
53	Paul Jacoby	2743 Clark avenue.
54	Fred Abrows	2719 Clark avenue.
55	Henry Doherty	2645 Adams street.
56	Thos. McDonald	2716 Clark avenue.
57	A. C. Stork	2712 Adams street.
58	R. M. Fleming	2755 Clark avenue.
59	W. H. Freudenstein	2836 Clark avenue.
60	Thos. E. McDonald	2714 Clark avenue.
61	F. J. Burns	2651 Adams street.
62	Joe McDonald	2716 Clark avenue.
63	Tom Watts	2745 Clark avenue.
64	Bertrand Fenn	2623 Adams street.
65	Ed. Macnamara	2651 Adams street.
66	J. S. Studard	423 South Leffingwell.
67	David Cole	2746 Clark avenue.
68	H. J. White	2741 Clark avenue.
69	J. Geraghty	2651 Adams street.
70	Alfred Mathey	2616 Clark avenue.
71	Michael McNealy	2637 Adams street.
72	Jno. O. S. Thompson	2812 Adams street.
73	Jno. Walsh	2819 Bernard street.
74	W. S. Williams	2616 Clark avenue.
75	W. S. Davis	2622 Clark avenue.
76	Daniel D. Murphey	2749b or 2749 Clark avenue.
77	Louis Chaney	2714 Adams street.
78	W. F. Frye	2838 Clark avenue.
79	F. B. Miller	2838 Clark avenue.
80	J. S. Symonds	2638 Adams street.
81	Walter King	2721 Clark avenue.
82	E. W. Jacobs	2824 Clark avenue.
83	A. J. Jacobs	2824 Clark avenue.
84	H. E. Hapen	2826 Adams street.
85	Wm. Dempsey	2631 Adams street.
86	Percival McFarlane	2652A Adams street.
87	Benjamin Brockmeyer	2736 Clark avenue.
88	Walter Cooney	2639 Adams street.
89	Thos. Dwyer	2833 Bernard street.
90	Wm. F. M. Story	2747 Clark street.
91	Wm. W. Thompson	408 South Leffingwell.
92	Levi Rosenblatt	2726 Clark avenue.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
93.	Jno. J. O'Neil	2750 Clark avenue.
94.	C. A. Stark	2614 Adams street.
95.	W. A. Reed	2722 Clark avenue.
96.	Wm. Hill	2623 Bernard street.
97.	Wm. L. Meyer	421 South Jefferson.
98.	Thos. Howel	2625 Adams street.
99.	Jno. I. Werley	2725 Clark avenue.
100.	Jno. J. Dillon	2619 Adams street.
101.	E. F. McDonald	2716 Clark avenue.
102.	James McEleny	2707 Bernard street.
103.	W. R. Wallbrook or Wallarbrook	2617 Adams street.
104.	Lawrence Fay	425 South Leffingwell.
105.	H. W. Freudenstein	2836 Clark avenue.
106.	Otto W. Freudenstein	2836 Clark avenue.
107.	Harry J. Daugherty	2645 Adams street.
108.	Geo. R. Gibson	2618 Clark avenue.
109.	Francis Denning	2760 Clark avenue.
110.	D. F. Rice	2836 Clark avenue.
111.	Tom Ryan	2818 Clark avenue.
112.	Dan Ryan	2818 Clark avenue.
113.	Chas. Williams	2826 Adams street.
114.	James Huse	2833 Bernard street.
115.	W. R. Williams	2836 Adams street.
116.	Mathew J. Davey	2825 Bernard street.
117.	R. Smith	2804 or 2824 Adams street.
118.	Ed. Fitzgibbon	2711 Bernard street.
119.	Chas. Stratton	2705 Clark avenue.
120.	Wm. James	2825 or 2825 Bernard street.
121.	R. H. Beckley	2740 Clark avenue.
122.	Marble Williams	2835 Adams street.
123.	D. W. Taylor	2630A or 2833 Adams street.
124.	P. Young	2800 Adams street.
124.	R. Dreyon	2810 Clark avenue.
125.	Jno. Harvey	2616 Adams street.
125.	Richard Dreyon	2810 Clark avenue.
126.	Porter Payon	2645 Adams street.
127.	Richard Smith	2804 Adams street.
128.	Dan Clifford	2616 Adams street.
128.	Richard Smith	2804 Adams street.
129.	Lee Clifford	2616 Adams street.
129.	Dan Clifford	2616 Adams street.
130.	Con Kelleher	2800 Adams street.
131.	F. Danery	2825 Bernard street.
132.	Jno. Flanigan	2800 Adams street.
133.	Thos. Crow	2812 Clark avenue.
134.	Chas. Knoland	2724 Adams street.
135.	Pat White	2810 Clark avenue.
136.	J. C. Crow	2812 Clark avenue.
137.	Jos. Hart	2618 Adams street.
138.	Jno. Trelford	2749 Clark avenue.
139.	W. J. Kerwick	2721 Bernard street.
140.	Louis Siler	2703 Bernard street.
141.	J. H. Fay	2804 Adams street.
142.	H. B. Allen	2831 Adams street.
143.	Jno. Sheehan	2633 Adams street.
144.	J. P. Cauty	2615 Adams street.
145.	Thos. J. Daniels	2707 Clark avenue.
146.	Pat. McCabe	2635 Bernard street.
147.	Anton Bemkel	2645 Bernard street.
148.	Henry Millurn	403 South Jefferson.
149.	E. R. Bright	2749 Bernard street.
150.	Jno. Carroll	2644 Adams street.
151.	Chas. Rauch	2728 Clark avenue.
152.	Patrick McHale	2745 Clark avenue.
153.	Wm. H. Breen	2629 Bernard street.
154.	R. J. Farrell	2644 Adams street.
155.	Jacob Friedman	2804 Clark avenue.
156.	E. H. Breen	2629 Bernard street.
157.	Wm. Mathews	2729 Clark avenue.
158.	J. F. Earley	408 South Ewing avenue.
159.	F. J. Hausman	2827 Bernard street.
160.	Roy Weil	2704 Clark avenue.
161.	Thos. Masterson	2624 Adams street.
162.	Frank Noble	2708 Clark avenue.
163.	Tom Cornelous	2721 Clark avenue.
164.	Wm. Seaver	2703 Clark avenue.
165.	Tim Murphy	2727 Clark avenue.
166.	A. J. Craig	2646 Adams or 2646 Clark avenue.
167.	Jos. Brown	2740 Clark avenue.
168.	W. H. Kendel	2639 Bernard street.
169.	Alex Dyer	2802 Adams street.
170.	Wm. Miles	2619 Adams street.
171.	F. H. Hoffsmith	2743 Clark avenue.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
172.	Wm. Adamson	2616A Adams street.
173.	Edward Weil	2732A Clark avenue.
174.	M. J. Fogerty	2829 Bernard street.
175.	J. J. Crossan	2654A Adams street.
176.	Geo. J. McGuigan	2653 Adams street.
177.	James Murphey	2730 Adams street.
178.	Jno. Keys	2646 Adams street.
179.	Alex. McDonald	2716 Clark avenue.
180.	Gus Hoffsmith	2743 Clark avenue.
181.	B. F. Falley	2828 Adams street.
182.	Thos. Naughton	2623 Adams street.
183.	James Dorsey	2704 Clark avenue.
184.	Wm. Fisher	2734 or 2734 Eugenia street.
185.	A. McGarry	2643 Bernard street.
186.	Jos. Heller	2823 Bernard street.
187.	Gus Wild	2704 Clark avenue.
188.	J. F. McMillan	2727 Clark avenue or Adams street.
189.	W. H. Weil	2704 Clark avenue.
190.	Anton Heckman	323 South Leffingwell.
191.	A. L. Maffanond	2641 Bernard street.
192.	Geo. A. Cullen	2629 Adams street.
193.	Jno. Huffsmith	2743A Clark avenue.
194.	W. B. Houstman	2827 Bernard street.
195.	James Bunnors	413 South Jefferson.
196.	Jno. J. Cullen	2619 Adams street.
197.	Dave Walsh	2769 Bernard street.
198.	Geo. Mungal	2732 Clark avenue.
199.	Chas. Zachritz	2623 Bernard street.
200.	James J. Noble	2708 Clark avenue.
201.	Robt. Savage	2822 Clark avenue.
202.	Jno. Cornelous	2721 Clark avenue.
203.	Jno. Mulcahy	2809 Adams street.
204.	Chas. Jacoby	2743 Clark avenue.
205.	Wm. Husing	2836 Adams street.
206.	Wm. Barnes	2829 Bernard street.
207.	A. L. Hurstman	2827 Bernard street.
208.	Jno. A. Sullivan	2621 Adams street.
209.	Michael Mokler	2618A Clark avenue.
210.	C. Barth	2618 Clark avenue.
211.	Robt. Lawler	2823 Bernard street.
212.	E. Weil	2702 Clark avenue.
213.	M. Cornelous	2721 Clark avenue.
214.	Patrick Fitzgerald	2718 Adams street.
215.	Oliver Davis	2622 Clark avenue.
216.	Ernst Schuddig	2719 Bernard street.
217.	Jno. Cunningham	2727 Clark avenue.
218.	Frank Farrell	2644 Adams street.
219.	H. C. Striecher	2720 Clark avenue.
220.	Thos. Kerwick	2721 Bernard street.
221.	H. F. Ohmeyer	2731 Adams street.
222.	W. J. Pepperdine	2702 Adams street.
223.	Edward O'Connell	413 South Jefferson.
224.	Joe Doherty	2749 Clark avenue.
225.	C. F. Dumpsey	2631 Adams street.
226.	James Gannon	2655 Bernard street.

Q. Turn to the certificates of the judges and clerks and give the votes for the candidates for the short term for the Twelfth Congressional district of Missouri.—A. James J. Butler received 156 votes; George C. R. Wagoner received 61 votes; Henry H. Artz received 5 votes.

Q. State whether certificate is signed by four judges and two clerks.—A. Yes.

Mr. TAUSSIG. At this point in the hearing one witness is reading the names, numbers, and addresses from the poll books without comparison by another witness, the witness reading from the poll books himself, comparing it with the other poll book.

Mr. FRUMBERG. Contestee interposes no objection to the examination of record by Witness Rinkle, nor does he object to his testimony in that matter, notwithstanding the fact that he, together with Witness Caffer, has testified and is now testifying in both matters before Notary Moore in both matters. This is done for the reason that contestee is desirous of facilitating this investigation.

Q. Have you in your possession the poll books used in the fourth precinct of the Fifth Ward at the election held November 4, 1902, in the city of St. Louis, Mo.?—

A. Yes.

Q. These are the books you received from Mr. Moore and Mr. Regan and which books you have in charge for the election commissioners?—A. Yes.

Q. Please take these books, and, comparing one with the other, read the numbers, names, and addresses recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number.

Number.	Name.	Address.
1	Geo. J. Seiber	Standard Theater.
2	Wm. H. Donevan	709 Clark avenue.
3	Louis J. Reppeto	114 South Seventh street.
4	John Swang	Standard Theater.
5	Herman Vette	13 South Sixth street.
6	Geo. J. Benson	Standard Theater.
7	E. J. Hanlan	520 Market street.
8	Chas. B. Beauchamp	610 Elm street.
9	Albert Kennerly	221 South Broadway.
10	Herman Richter	504 Market street.
11	Conrad Gettleman	115 South Sixth street.
12	Thos. P. Miller	St. James Hotel.
13	Louis Gazoola	27 South Sixth street.
14	James C. Pomels or Pamelee	Standard Theater.
15	Adolph Horn	506 Market street.
16	Ben Piges	700 Market street.
17	Jno. J. Noonan	522 Elm street.
18	Jno. Dolan	Standard Theater.
19	Brener D. M. Eaton	St. James Hotel.
20	Charles Menes	114 South Seventh street.
21	Otto Richter	504 Market street.
22	Geo. Stang	522 Market street.
23	Geo. Hite	117 South Sixth street.
24	Peter Binley	113 South Sixth street.
25	Robt. Watson	Standard Theater.
26	Geo. Abbott	111 South Sixth street.
27	Theo. Rice	Standard Theater.
28	Chas. Aidn	113 South Sixth street.
29	Fred A. Claeber	113 South Sixth street.
30	Wm. Gent	113 South Sixth street.
31	A. Ross	Standard Theater.
32	L. H. Power	Standard Theater.
33	A. Reed	Standard Theater.
34	T. Gilliam	113 South Sixth street.
35	Burt Mebbure	522 Elm street.
36	Geo. Harding	111 South Sixth street.
37	Jno. Hill	113 South Sixth street.
38	Jno. Lang	Standard Theater.
39	Frank Byran	113 South Sixth street.
40	Giffin Muth	Windsor Hotel.
41	Arthur Jackson	113 South Sixth street.
42	John Carroll	111 South Sixth street.
43	Jno. King	111 South Sixth street.
44	Philip Smith	111 South Sixth street.
45	Thomas Haley	111 South Sixth street.
46	Thos. Cave	113 South Sixth street.
47	Morris P. Neil	113 South Sixth street.
48	Martin Kelly	113 South Sixth street.
49	Jos. Wilson	Standard Theater.
50	G. Arnold	111 South Sixth street.
51	Harry Parker	111 South Sixth street.
52	Jno. White	111 South Sixth street.
53	Albert Goetz	702 Market street.
54	Oscar Goetz	702 Market street.
55	Geo. H. Smith	510 Elm street.
56	James Wall	111 South Sixth street.
57	Jno. S. Pope	517 Walnut street.
58	D. J. Murphie	517 Walnut street.
59	Robt. Fitzgibbon	Standard Theater.
60	Emile Bader	519 Walnut street.
61	Jos. M. Ingalls	600 Walnut street.
62	D. M. Collins	600 Walnut street.
63	Joe Ward	524 Walnut street.
64	James Dougherty	524 Walnut street.
65	Lyman Canninear	Standard Theater.

I now adjourn taking of testimony for a recess from 5.45 p. m., December 31, until 7 p. m., December 31, 1902.

Announce resume taking of testimony, 7.30 p. m., December 31, 1902, pursuant to adjournment.

Q. Will you now proceed to read from the same book—fourth precinct, Fifth Ward? During the interval of this reading where had these books been?—A. I delivered them to Reagan.

Q. Is he the regular custodian appointed by the board for the care of these books during the investigation?—A. Yes.

Number.	Name.	Address.
66	James R. Martin	622 Walnut street.
67	John Roberts	700 Market street.
68	J. E. Boison	522 Market street.
69	Frank B. Murray	Cherokee Hotel.
70	Frank Deibel	525 Clark avenue.
71	Henry O'Brien	Windsor Hotel.
72	Joe Cartwright	525 Clark avenue.
73	John Moore	211 South Sixth street.
74	Samuel Arnold	211 South Sixth street.
75	Frank L. Broudis	221 South Broadway.
76	Robert May	115 South Sixth street.
77	Walter Madden	115 South Sixth street.
78	Daniel Brown	Rilling Hotel.
79	Edward Carr	Rilling Hotel.
80	Henry Corbett	620 Walnut street.
81	George Draun	216 South Eighth street.
82	Harry O'Brien	707 Clark avenue.
83	Joseph Sweeney	108 South Seventh street.
84	Joseph Evans	108 South Seventh street.
85	Albert Wolf	119 South Seventh street.
86	William Benning	109 South Seventh street.
87	Friend Hill	522 Market street.
88	T. J. Hanley	522 Market street.
89	Thos. F. Riehl	700 Market street.
90	Thos. Br. derick	20 South Eighth street.
91	John H. Feeney	St. James Hotel.
92	James Dunlap	131 South Sixth street.
93	Richard Mullerkut	20 South Sixth street.
94	Adolph DuFuve	251 South Sixth street.
95	Mike Higgins	116 South Seventh street.
96	Eugene Hooker	115 South Seventh street.
97	Robert D. Mead	4 South Eighth street.
98	Frank McClusky	4 South Eighth street.
99	Henry Eid	700 Market street.
100	Henry Johnson	211 South Sixth street.
101	Joseph Green	215 South Sixth street.
102	Daniel J. Bagley	221 South Broadway.
103	James Farrell	221 South Broadway.
104	C. E. Ross	115 South Sixth street.
105	Ben Hildebrand	525 Clark avenue.
106	Frank Hubbard	601 Elm street.
107	J. C. Simpson	622 Walnut street.
108	Pat Joyce	221 South Broadway.
109	Tan Kelly	710 Market street.
110	A. B. Keanig	612 Walnut street.
111	Wm. Rochuw	522 Market street.
112	E. H. Harkins	620 Walnut street.
113	P. Boniper	7 South Sixth street.
114	T. J. Halpin	522 Market street.
115	Bryant Feeley	621 Elm street.
116	Tom J. Reeves	622 Walnut street.
117	John Riley	Standard Theater.
118	Emile Hurke	203 South Broadway.
119	A. Cangut	203 South Seventh street.
120	Jacob Miller	605 Walnut street.

Mr. WALSH. The contestee's attorney at this point desires to call attention to the fact that Mr. Caffer is testifying as to the contents of the poll books of the fourth precinct, Fifth Ward, and endeavoring to make comparisons of the two poll books for this record at the same time.

Mr. KINSEY. Contestant's counsel desires to have it noted in the record that the manner of taking testimony as now pursued was agreed upon at a meeting of the board of the election commissioners, in the presence of the leading counsel for contestee, who at the time gave his consent thereto, in order to expedite this hearing; that other counsel than Mr. Walsh for contestee has also given his consent to the manner in which these depositions are now proceeding, and that the present objection by Mr. Walsh is a frivolous waste of the time of the contestant and can have but one result, to-wit, the shortening of the contestant's time for taking testimony.

Mr. WALSH. On the application of Mr. Kinsey, attorney for the contestant, the notary directed the resumption of this deposition, refusing the attorney for contestee his right to place an objection in the record, and attorney for contestee herewith submits to notice that he will submit his objection in writing, and demands that the same be placed in the record.

Number.	Name.	Address.
121	Henry Miller	605 Walnut street.
122	Wm. Leitch	St. James Hotel.
123	G. W. Flaner	514 Elm street.
124	Andrew Mitschen	518 Walnut street.
125	Wm. J. Burke	524 Elm street.
126	Dan Hart	610 Elm street.
127	Louis Meiger	718 Market street.
128	Elly Hodge	210 South Sixth street.
129	George Deibus	111 South Sixth street.
130	J. H. Denning	709 Clark avenue.
131	H. Brockmiller	119 South Broadway.
132	John W. Kraft	221 South Broadway.
133	Charles Wery	Rilling Hotel.
134	John McFadden	620 Walnut street.
135	George Clark	622 Walnut street.
136	Wm. Green	216 South Eighth street.
137	James E. Casey	707 Clark avenue.
138	Wm. Kaye	108 South Seventh street.
139	Albert Meyer	108 South Seventh street.
140	John A. Stetson	700 Market street.
141	George Bennett	20 South Seventh street; other, South Eighth street.
142	Ben Creagan	20 South Seventh street; other, South Eighth street.
143	James W. Chilton	St. James Hotel.
144	Andrew Wind	700 Market street.
145	Daniel Degan	119 South Seventh street.
146	Dan Kelley	119 South Seventh street.
147	Sam Shepard	109 South Seventh street.
148	Wm. J. Morgan	522 Market street.
149	Peter Rohan	211 South Sixth street.
150	Fred Crow	215 South Sixth street.
151	Wm. A. Hicks	221 South Broadway.
152	George Anderson	115 South Sixth street.
153	Geo. B. Dull	Rilling Hotel.
154	Harry Greton	Rilling Hotel.
155	Harry Nelson	620 Walnut street.
156	Edward Dwyer	622 Walnut street.
157	John Smith	Rilling Hotel.
158	Harry Hart	216 South Eighth street.
159	Charles Price	707 Clark avenue.
160	James McLaughlin	108 South Seventh street.
161	Harry Brady	108 South Seventh street.
162	James Cavanaugh	20 South Eighth street.
163	Otto Kleine	108 South Seventh street.
164	John Rodgers	707 Clark Avenue.
165	Arthur McDonald	216 South Eighth street.
166	Jos. Frank	622 Walnut street.
167	Peter Sculley	622 Walnut street.
168	John McGee	20 South Eighth street.
169	Robert A. Fay	221 South Broadway.
170	Elliott Wood	221 South Broadway.
171	Thomas Wood	221 South Broadway.
172	Gene Leiner	14 South Sixth street.
173	J. W. Dearsey	522 Market street.
174	G. W. Traffert	211 South Sixth street.
175	Robert O'Brien	620 Walnut street.
176	Jos. J. Walsh	620 Walnut street.
177	S. D. Heady	27 South Sixth street.
178	R. L. Carleton	522 Walnut street.
179	Harry Williams	Gould Hotel.
180	William P. Ferguson	221 South Broadway.
181	Frederick Knight	113 South Seventh street.
182	Henry Robber	623 Walnut street.
183	James Smith	105 South Seventh street.
184	Ed. Dalton	23 South Sixth street.
185	P. P. Daly	606 Market street.
186	James Downey	700 Market street.
187	R. Browning	216 South Sixth street.
188	James Downing	205 South Broadway.
189	Thos. Tallon	205 South Broadway.
190	Jos. R. Donegan	Standard Theater.
191	Ed. Huffman	504 Market street.
192	John Callahan	304 South Broadway.
193	Robert Warner	221 South Broadway.
194	Mike O'Brien	20 South Eighth street.
195	Henry Davis	622 Walnut street.
196	Geo. Hill	221 South Broadway.
197	Wm. McKinney	221 South Broadway.
198	Richard Natzals	522 Market street.
199	Walter Cowan	109 South Seventh street.
200	Richard McAndrew	119 South Seventh street.
201	Charles Dillon	119 South Seventh street.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
202	Martin Mooney	700 Market street.
203	James Green	St. James Hotel.
204	James Riley	St. James Hotel.
205	Geo. F. Cain	4 South Eighth street.
206	Jos. L. Hammell	700 Market street.
207	B. E. Daly	712 Market street.
208	M. J. Grady	712 Market street.
209	Chas. Hewlett	714 Market street.
210	Frank Cowenly	612 Walnut street.
211	Robert Jackson	612 Walnut street.
212	Thos. Carney	613 Walnut street.
213	Wm. H. Curran	20 South Eighth street.
214	J. H. Burris	606 Market street.
215	George Jounge	221 South Broadway.
216	J. G. Sullivan	221 South Broadway.
217	John F. Koshowsky	704 Market street.
218	Emile W. Guber	518 Walnut street.
219	Jos. W. Eirlers	700 Market street.
220	John F. Daly	613 Walnut street.
221	Ben Levi	112 South Seventh street.
222	A. E. Van Tyne	St. James Hotel.
223	Herman Kober	508 Market street.
224	Edward Lavin	20 South Eighth street.
225	Pat J. Carey	20 South Eighth street.
226	Charles Clark	108 South Seventh street.
227	Peter Rohan	707 Clark avenue.
228	Pat O'Malley	216 South Eighth street.
229	Wm. Griffin	622 Walnut street.
230	Matthew Ryan	622 Walnut street.
231	Robt. Du Foux	624 Walnut street.
232	Wm. Hickey	624 Walnut street.
233	Edward Cole	115 South Sixth street.
234	James Killian	221 South Broadway.
235	Harry Williams	221 South Broadway.
236	Wm. Wallace	211 South Sixth street.
237	Ed. C. Range	522 Market street.
238	Mat Riley	522 Market street.
239	Fred Riley	109 South Seventh street.
240	John Donahue	119 South Seventh street.
241	John Riley	700 Market street.
242	John Deveany	20 South Eighth street.
243	O. E. Shannon	712 Market street.
244	Wm. Smith	108 South Seventh street.
245	Martin Bell	108 South Seventh street.
246	Andrew Reagan	622 Walnut street.
247	Patrick Edwards	115 South Sixth street.
248	James Sharp	115 South Sixth street.
249	Harry B. Parson	Rilling Hotel.
250	Thomas Martin	221 South Broadway.
251	Geo. T. Buscher	221 South Broadway.
252	Daniel Hergtry	119 South Seventh street.
253	James Albers	20 South Eighth street.
254	John Callahan	20 South Eighth street.
255	Frank Williams	20 South Eighth street.
256	James Fine	108 South Seventh street.
257	James Rodgers	216 South Eighth street.
258	Wm. Gorman	622 Walnut street.
259	Geo. H. Lewis	Rillings Hotel.
260	Frank Dooley	115 South Sixth street.
261	Patrick Donovan	115 South Sixth street.
262	John H. Ogburn	221 South Broadway.
263	Wm. Marre	215 South Sixth street.
264	Walter A. Tibbles	522 Market street.
265	Dave Watson	109 South Seventh street.
266	James Smith	119 South Seventh street.
267	James Davis	20 South Eighth street.
268	Wm. R. Haynes	20 South Eighth street.
269	James Lee	712 Market street.
270	H. Whitley	712 Market street.
271	Dennis Mahoney, or Maloney	613 Walnut street.
272	Dan P. Murphy	612 Walnut street.
273	Alois Walo	9 South Broadway.
274	Sam Water	216 South Eighth street.
275	Harry Hodge	622 Walnut street.
276	Paule E. Davis	115 South Sixth street.
277	Morris Raleigh	221 South Broadway.
278	Wm. A. Barry	221 South Broadway.
279	Henry Richards	215 South Sixth street.
280	Geo. Watt	215 South Sixth street.
281	Jacob C. Arnold	522 Market street.
282	Tom Campbell	522 Market street.
283	Foster Carlile or Cilile	522 Market street.
284	Fred Berger	109 South Seventh street.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
285	F. J. Steager	119 South Seventh street.
286	Ed. Martin	700 Market street.
287	Wm. Johnson	622 Walnut street.
288	Thos. Rogan	115 South Sixth street.
289	Michael O'Connor	115 South Sixth street.
290	Phil. McFarland	Rillings Hotel.
291	Dennis Thompson	221 South Broadway.
292	James Smith	221 South Broadway.
293	Harry Grange	215 South Sixth street.
294	Charles Underhill	119 South Seventh street.
295	John Grange	215 South Sixth street.
295	In other book reads John T. Hale.	119 South Seventh street.
296	Andrew Quinn	622 Walnut street.
297	Harry Price	115 South Sixth street.
298	Charles Mitchell	Rillings Hotel.
299	Frank Ward	Rillings Hotel.
300	John Wood	221 South Broadway.
301	Louis Hermann (or Hanman)	215 South Sixth street.
302	Bill Riley	119 South Seventh street.
303	Dan Sweeney	119 South Seventh street.
304	Patrick Kennedy	108 South Seventh street.
305	James Riedy	623 Walnut street.
306	John Dent	115 South Sixth street.
307	Ned Maris	Rilling Hotel.
308	Zege Anderson	221 South Broadway.
309	Ernest Haupte	221 South Broadway.
310	Jas. Feeny	119 South Seventh street.
311	Frank H. Hill, or Hull	20 South Eighth street.
312	J. S. Hill	20 South Eighth street.
313	Ben Jacobs	20 South Eighth street.
314	John Ryan	622 Walnut street.
315	Albert Moore	115 South Sixth street.
316	Frank Ellis	115 South Sixth street.
317	Edgar Sheldon	Rilling Hotel.
318	Fred Meyer	Rilling Hotel.
319	Thomas Lynch	321 South Broadway.
320	Wm. McCay	119 South Seventh street.
321	Thos. Donahue	20 South Eighth street.
322	Ed. Conway	108 South Seventh street.
323	Steven Hickey	524 Elm street.
324	Jos. Merrell	524 Elm street.
325	J. Carroll	522 Elm street.
326	Theodore Cankwell	516 Elm street.
327	Walter S. Hehne	524 Walnut street.
328	Herman Klemp	114 South Seventh street.
329	Frank Kelly	114 South Seventh street.
330	Peter S. Dorn	221 South Broadway.
331	Fred. Beidler	218 South Eighth street.
332	Jos. C. Roberts	623 Walnut street.
333	Wm. Hager	623 Walnut street.
334	John Gifford	718 Market street.
335	Ross McMahon	13 South Sixth street.
336	Mike Mooney	622 Walnut street.
337	Wm. C. Edwards	Standard Theater.
338	James Roberts	622 Walnut street.
339	Robt. Tesnan	Rilling Hotel.
340	Frank Smith	Rilling Hotel.
341	Martin Moran	20 South Eighth street.
342	Frank Martin	20 South Eighth street.
343	James Gordon	20 South Eighth street.
344	Louis Edwards	20 South Eighth street.
345	Robt. Patterson	211 South Eighth street.
346	Martin Regan	211 South Eighth street.
347	John Hiser	119 South Seventh street.
348	Peter O'Toole	20 South Eighth street.
349	Henry Potter	20 South Eighth street.
350	Frank Johnson	20 South Eighth street.
351	Geo. Ampelman	221 South Broadway.
352	Frank Hill	20 South Eighth street.
353	Dan J. Bischof	20 South Eighth street.
354	Jos. Reeves	20 South Eighth street.
355	Phillip Sullivan	221 South Broadway.
356	Geo. Murray	20 South Eighth street.
357	Chas. Page	20 South Eighth street.
358	Wm. Roberts	20 South Eighth street.
359	Otto W. Berger	221 South Broadway.
360	Gideon E. Amann	221 South Broadway.
361	Wm. P. Ferguson	221 South Broadway.
362	Wm. McClure	119 South Seventh street.
363	Wm. J. Nolan	20 South Eighth street.
364	Wm. Ryan	119 South Seventh street.
365	C. H. Mugan	20 South Eighth street.
366	Alex. B. Smith	221 South Broadway.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
367.	Herman Lang.	221 South Broadway.
368.	Thos. Harvey	20 South Eighth street.
369.	Steven J. White	105 South Seventh street.
370.	Geo. Gaetz, jr.	702 Market street.
371.	Zef Casper	602 Walnut street.
372.	Hugh Dougherty	524 Elm street.
373.	R. P. Ellis.	601 Walnut street.
374.	John Frank	113 South Seventh street.
375.	Thomas Hand	218 South Eighth.
376.	Lear Papin.	218 South Eighth street.
377.	Caleb Stein	221 South Broadway.
378.	Sam Galvin	7 South Sixth street.
379.	Harry Falk	115 South Sixth street.
380.	A. G. Furman	221 South Broadway.

I now adjourn the taking of evidence at 11.05 p. m. December 31, 1902, until 9 a. m. January 2, 1903, to be continued at the same place.

I now resume the further taking of testimony at 9.30 a. m. January 2, 1903, pursuant to adjournment.

Number.	Name.	Address.
380.	A. G. Furmann	221 South Broadway.
381.	Jos. R. Foley	21 South Broadway.
382.	Jno. R. Fountain	20 South Eighth street.
383.	Jno. A. Fenley	221 South Broadway.
384.	Harry Bryan	Rilling Hotel.
385.	Wm. E. Herding	221 South Broadway.
386.	Geo. Herding	221 South Broadway.
387.	Michael Dunn	20 South Eighth street.
388.	Thos. Kelly	20 South Eighth street.
389.	Edw. Miller	221 South Broadway.
390.	Wm. Payne	Rilling Hotel.
391.	Frank J. Meyers	221 South Broadway.
392.	Jno. L. O'Toole	221 South Broadway.
393.	Ben William	20 South Eighth street.
394.	Geo. Smith	20 South Eighth street.
395.	Chas. Raedder	221 South Broadway.
396.	Geo. Williams	Rilling Hotel.
397.	James Robinson	221 South Broadway.
398.	Wm. Green	602 Walnut street.
399.	Ed. Gallagher	113 South Sixth street.
400.	Herman Bush	Standard Theater.
401.	Thos. Piker or Parker	Standard Theater.
402.	James L. Owen	Sixth and Walnut streets.
403.	Chas. Chambers	117 South Seventh street.
404.	Solomon W. Braun	505 Walnut street.
405.	Mike Rosso	616 Walnut street.
406.	A. J. Keaning	700 Market street.
407.	Harry Magee	622 Walnut street.
408.	Wm. Schmidt	112 South Seventh street.
409.	Jos. Douglas	522 Market street.
410.	Richard Berry	113 South Sixth street.
411.	Henry Cangot	218 South Sixth street.
412.	Louis Deibel	525 Clark avenue.
413.	Wm. D. Miliano	522 Walnut street.
414.	Wm. F. Hughes	Cherokee Hotel.
415.	Arthur Owen	517 Clark avenue.
416.	Jno. Kayne	211 South Sixth street.
417.	H. Waddle	211 South Sixth street.
418.	Andrew F. Blair	Windsor Hotel, 5 South Sixth.
419.	J. M. Edwards	110 South Eighth street.
420.	Ben Schmitz	Havelin's Theater.
421.	Jno. Gabbelman	203 South Broadway.
422.	Jno. Collins	517 Walnut street.
423.	Wm. H. Grady	522 Market street.
424.	McPhileny Phily	217 South Broadway.
425.	Geo. Wheelan	600 Elm street.
426.	Ben Steansdmeyer	Gould Hotel.
427.	Wm. Geblein	5 South Sixth street.
428.	Chas. E. Green	St. James Hotel.
429.	J. H. Jones.	5 South Sixth street.
430.	James Green	115 South Sixth street.
431.	Wm. Flynn	115 South Sixth street.
432.	Tom Wagner	505 Clark avenue.
433.	Albert Flaunnigen	512 Elm street.
434.	A. M. Elsmar	517 Walnut street.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
435.	Fred H. Bremer	19 South Broadway.
436.	Geo. Carr	218 South Eighth street.
437.	Rich. Wisse	108 South Seventh street.
438.	Wm. J. Smith	20 South Eighth street.
439.	Cicero Hughes	Cherokee Hotel.
440.	Samuel Evans	216 South Sixth street.
441.	M. Shannan	St. James Hotel.
442.	Jacob A. Miller	109 South Seventh street.
443.	Chas. McKenna	216 South Seventh street.
444.	James Holland	109 South Seventh street.
445.	Chas. Grote	600 Elm street.
446.	Jos. C. Maurer	712 Market street.
447.	Jos. Ballard	214 South Eighth street.
448.	David G. Rilling	622 Walnut street.
449.	Henry Johns	602 Walnut street.
450.	C. P. Johns	Owen's Hotel.
451.	Jno. Jones	115 South Sixth street.
452.	Thos. Johnson	522 Market street.
453.	Chas. Johns	221 South Broadway.
454.	Frank J. Kober	Olympic Theater.
455.	Herman Klemp	111 South Sixth street.
456.	Ed. Klein	522 Market street.
457.	Jno. Hanepohl	221 South Broadway.
458.	Frank Kenis	221 South Broadway.
459.	Ed. Kelly	604 Walnut street.
460.	B. Kerskey	522 Elm street.
461.	Jos. Koehes	20 South Eighth street.
462.	James Kelly	522 Market street.
463.	Albert Knees	20 South Eighth street.
464.	Edw. Kelly	710 Market street.
465.	Geo. Ferrenpoff	522 Elm street.
466.	Henry Knapke	618 Market street.
467.	D. McDonald	522 Market street.
468.	Phil Masterson	221 South Broadway.
469.	Chas. R. Beile	215 South Sixth street.
470.	Rich. Curren	20 South Eighth street.
471.	R. F. Hoffman	512 Walnut street.
472.	R. E. Griffin	718 Market street.
473.	Barney Kiffen	120 South Eighth street.
474.	Jno. Hellsner	119 South Seventh street.
475.	Jno. Heiser	119 South Seventh street.
476.	Jno. Hart	119 South Seventh street.
477.	Chas. Gourlach	118 South Seventh street.
478.	Tom. Connelly	13 South Sixth street.
479.	G. C. Hurd	718 Market street.
480.	Geo. Henderson	221 South Broadway.
481.	Michael D. Griffin	517 Elm street.
482.	Frank Hall	St. James Hotel.
483.	Ole Henkanson	221 South Broadway.
484.	Jas. Holland	109 South Seventh street.
485.	Jas. Dennison	117 South Sixth street.
486.	G. A. Guyman	Rilling Hotel.
488.	Thos. Dwyer	113 South Sixth street.
489.	R. Gray	108 South Eighth street.
490.	Jos. Francis	115 South Sixth street.
491.	James F. Hughes	20 South Eighth street.
492.	Jno. Hill	113 South Sixth street.
493.	Jno. F. Gibson	Olympic Theater.
494.	Thos. M. Heffernon	117 South Seventh street.
495.	Wm. Hoffman	315 South Sixth street.
496.	Jno. Gorey	221 South Broadway.
497.	Louis Gibbard	Windsor Hotel.
498.	Fred Eberneck	504 Market street.
499.	Joe Howard	20 South Eighth street.
500.	Geo. Harding	612 Walnut street.
501.	Jas. Meehan	524 Elm street.
502.	Jas. Hacket	117 South Sixth street.
503.	Frank Flick	119 South Seventh street.
504.	Steve Clark	709 Clark avenue.
505.	D. J. Maness	606 Market street.
506.	E. H. Ordorph	115 South Sixth street.
507.	C. R. Spore	709 Market street.
508.	Gus Parker	Standard Theater.
509.	Thos. Mulligan	115 South Sixth street.
510.	Jno. F. Burns	18 South Sixth street.
511.	Louis Rilling	Rilling Hotel.
512.	Jno. Morrison	718 Market street.
513.	Theo. Samuels	114 South Seventh street.
514.	Jno. Rogers	603 Market street.
514.	Grant Fritz	221 South Broadway.
515.	Geo. Samuels	114 South Seventh street.
516.	Jno. Rogers	606 Market street.
517.	Jno. Hartnett	221 South Broadway.

PRECINCT 11, WARD 14—Continued.

Number.	Name.	Address.
518.....	Wm. Campbell	114 South Seventh street.
519.....	Jas. Garet Smith.....	105 South Seventh street.
520.....	Fred Reader	203 South Broadway.
521.....	Ralph Richey	St. James Hotel.
522.....	Geo. Koshkousky	701 Market street.
523.....	Jas. Quinn.....	524 Elm street.
524.....	Lawrence Quinn.....	524 Elm street.
525.....	Walter Quenfe.....	629 Walnut street.
526.....	Chas. Quinn.....	522 Elm street.
527.....	Wm. Quigley	221 South Broadway.
528.....	Thos. Thomas.....	606 Market street.
529.....	Patrick Terney.....	119 South Seventh street.
530.....	Arthur Tubbs.....	Havelins Theater.
531.....	Wm. Yerkey	114 South Seventh street

Q. Will you now state the number of votes certified to by the judges for each Congressional candidate for the short term as shown by the poll book from which you have just read?—A. Yes. James J. Butler received 496 votes; Geo. Wagoner received 34 votes.

Q. How many of the judges and clerks signed that book?—A. Four judges and two clerks.

Q. Will you kindly state the precinct number and ward number of the poll book from which you have read this morning when taking of testimony was resumed?—A. Fourth precinct, Fifth Ward.

Q. Will you now produce the poll books of the Sixth precinct, Fifth Ward, and read therefrom the numbers, names, and places of residence of the voters contained therein, beginning with number one, and reading consecutively to the end thereof?—A. Yes.

PRECINCT 6, WARD 5.

Number.	Name.	Address.
1.....	Thos. McElvey	15 South Tenth street.
2.....	Tim Kellher, jr	121 South Tenth street.
3.....	Spencer Gardiner.....	1021 Clark avenue.
4.....	Albert Gruendwald.....	25 South Tenth street, rear.
5.....	Jas. F. Kiely	119 South Tenth street.
6.....	P. J. Leonard	815 Walnut street.
7.....	Fred W. Gerke	904 Market street, rear.
8.....	Frank Reppeto	906 Walnut street.
9.....	Chas. Stewart	812 Market street.
10.....	Sam A. McCosh	1030 Clark avenue.
11.....	Isaac T. Bartlett	117 South Tenth street.
12.....	Thos. Green	816 Market street.
13.....	Edw. Lavenberg	113 South Tenth street.
14.....	Frank F. Crawford	820 Market street.
15.....	Peter Miner	27 South Tenth street.
16.....	Thos. Murphy	818 Market street.
17.....	Geo. Woodward	818 Market street.
18.....	Dennis Gunn	23 South Tenth street.
19.....	Edw. McCammon.....	25 South Tenth street.
20.....	Harry Gould	818 Market street.
21.....	Louis Walton	106 South Ninth street.
22.....	Robt. Scheibli	110 South Eleventh street.
23.....	Jos. L. Schuler	1030 Clark avenue.
24.....	Jno. Coughlin	814 Walnut street.
25.....	Emil Bodenstedt.....	No. 9 South Ninth street.
26.....	Arthur Stubbs.....	1028 Clark avenue.
27.....	Jas. Kelly	1002 Walnut street.
28.....	Jno. Burns	816 Market.
28.....	Chas. Burns	816 Market street.
29.....	Jno. Madden	No. 7 South Ninth street.
30.....	Adolph Meller	1006 Clark avenue.
31.....	Jno. Dugan	916 Walnut street.
32.....	Frank Donnelly	818 Market street.
33.....	Geraldin Hogan	113 South Tenth street.
34.....	Henry Thompson.....	914 Market street.
35.....	Anthony Mosconi.....	23 South Tenth street.
36.....	Thos. Hill	108 South Eleventh street.
37.....	Pat Reilly	815 Walnut street.
38.....	Chas. Malone	822 Walnut street.
39.....	Wm. Henderson	822 Market street.
40.....	Jas. Richards.....	818 Market street.

PRECINCT 6, WARD 5—Continued.

Number.	Name.	Address.
41.....	Geo. Thompson	926 Walnut street.
42.....	Geo. Wilson	816 Market street.
43.....	Henry Lyons	1012 Walnut street.
44.....	Michael Doran	1118 Spruce street.
45.....	Andrew Wetzel	1010 Market street.
46.....	Hy. C. Kirchner	810 Walnut street.
47.....	Jno. P. Maher	106 South Tenth street.
48.....	Jno. J. Rudd	819 Walnut street.
49.....	Wm. Flannery	1028 Clark avenue.
50.....	Jno. Porter	204 South Eleventh street.
51.....	Frank O'Reilly	816 Market street.
52.....	Floyd W. Utter	21 South Tenth street.
53.....	Jno. P. Cushing	10 South Eleventh street.
54.....	Hy. J. Daniels	119 South Tenth street.
55.....	Jno. Dempsey	815 Walnut street.
56.....	J. B. Goodfellow	17 South Tenth street.
57.....	Jno. McCarthy	114 South Tenth street.
58.....	Mark Nalty	812 Market street.
59.....	Albert Saifer	806 Market street.
60.....	Jno. D. Doernhafer	823 Clark avenue.
61.....	Bernard W. Hartley	912 Walnut street.
62.....	Chas. M. Cantwell	812 Market street.
63.....	Wm. Bartley	815 Walnut street.
64.....	Elick Frankel	1028 Clark avenue.
65.....	Peter Moranio	1000 Walnut street.
66.....	Jacob Abley	114 South Tenth street.
67.....	Gus Martin	29 South Tenth street.
68.....	Geo. Danley	910 Walnut street.
69.....	Jno. Hughes	29 or 24 South Ninth street.
70.....	Wm. Delaney	922 Walnut street.
71.....	Geo. Little	1008 Walnut street.
72.....	Jas. Schlagle	922 Walnut street.
73.....	Thos. Brennen	815 Walnut street.
74.....	Jos. Brown	1000 Market street.
75.....	Pat Quinn	1002 Walnut street.
76.....	Jas. Halpin	822 Walnut street.
77.....	Jno. Ferris	815 Walnut street.
78.....	Wm. Wiggins	27 South Tenth street.
79.....	Matt Hoffman	1000 Walnut.
80.....	Geo. Hendricks	822 Walnut street.
81.....	Geo. Hunter	10 South Eleventh street.
82.....	J. J. Casey	19 South Tenth street.
83.....	Henry Martin	109 South Tenth street.
84.....	Tim Kelleher	121 South Tenth street.
85.....	Thos. Gregory	812 Walnut street.
86.....	Robt. Hacking	1000 Market street.
87.....	Edw. Kelleher	121 South Tenth street.
88.....	Wm. Willis	924 Walnut street.
89.....	Dan Kelleher	121 South Tenth street.
90.....	Patrick Carr	900 Walnut street.
91.....	J. V. Taylor	1030 Clark avenue.
92.....	Fred Hunter	25 South Tenth street.
93.....	Wm. H. Pridham	22 South Tenth street.
94.....	Allen Windfield	22 South Tenth street.
95.....	Andrew Martin	109 South Tenth street.
96.....	Thos. McMahon	1012 Walnut street.
97.....	Jno. Smith	922 Walnut street.
98.....	Chas. Barker	27 South Tenth street.
Other book, line 99.		
99.....	Frank Kentmer	1010 Market street.
Other book, line 98.		
100.....	J. B. Schafermeyer	317 South Seventh street.
101.....	Chas. Betz	400 South Twelfth street.
102.....	Aug. Meyer	18 South Eleventh street.
103.....	Eugene Duffy	1014 Walnut street.
104.....	Geo. Williams	400 South Twelfth street.
105.....	H. B. Davis	819 Walnut street.
106.....	T. E. Shirmer	1030 Clark avenue.
107.....	Vincent C. Rosso	117 South Tenth street.
108.....	W. S. Bowser	19 South Tenth street.
109.....	Peter McElvey	15 South Tenth street.
110.....	Jos. P. Smith	815 Walnut street.
111.....	Benj. Smith	815 Walnut street.
112.....	Chas. Muench	810 Walnut street.
113.....	Wm. P. Collins	812 Market street.
114.....	Wm. Marshall	15 South Tenth street.
115.....	Wm. Pierson	1027 Clark avenue.
116.....	Jos. Watts	119 South Tenth street.
117.....	Matt Bray	119 South Tenth street.
118.....	Jos. Dwyer	1000 Market street.
119.....	J. T. Gillespie	1012 Walnut street.
120.....	M. J. Finn	1000 Market street.
121.....	Wm. H. Hickey	816 Market street.

PRECINCT 6, WARD 5—Continued.

Number.	Name.	Address.
122	Frank Craig	820 Market street.
123	Jas. Jones	818 Market street.
124	Steve Walker	818 Market street.
125	Chas. Nelson	816 Market street.
126	Isaac Marshall, jr.	15 South Tenth street.
127	Jno. Mussey	1000 Walnut street.
128	Fred Niemann	1036 Market street.
129	Jno. Martin	19 South Eleventh street.
130	Wm. Commers	1000 Market street.
131	E. J. Curran	15 South Tenth street.
132	David Clifford	822 Walnut street.
133	Michael Bell	1000 Walnut street.
134	Chas. Weber	117 South Tenth street.
135	Pat J. Ryan	1002 Walnut street.
136	Jas. Welch	1000 Walnut street.
137	Ed. Erickson	812 Walnut street.
138	Sol. Kaercher	1004 Market street.
139	W. S. Reed	822 Market street.
140	Mike Ryan	106 South Tenth street.
141	Andrew Curtis	21 South Tenth street.
142	Roy Gibson	1014 Walnut street.
143	Louis Thomas	1000 Market street.
144	Frank Walker	1000 Market.
145	Jno. J. Frazier	1000 Market street.
146	Jas. Smith	1000 Market street.
147	Jno. Kilpatrick	1028 Clark avenue.
148	Martin Thomure	821 Walnut street.
149	Wm. S. Holmes	815 Walnut street.
150	Fred Junker	812 Market street.
151	Geo. Kessler, jr.	812 Market street.
152	Peter Rohan	819 Walnut street.
153	Jno. Rohan	819 Walnut street.
154	Wm. Ryan	208 South Eleventh street.
155	Jos. Grieten	822 Walnut street.
156	Thos. B. Rogers	912 Walnut street.
157	Jos. More	814 Walnut street.
158	C. C. Williams	1004 Market street.
159	Andrew Schneider	118 South Tenth street.
160	W. H. Darlington	1034 Market street.
161	J. J. Raggi	1000 Walnut street.
162	Jas. McElroy	114 South Tenth street.
163	Isaac Marshall	15 South Tenth street.
164	Wm. Hendricks	714 Clark avenue.
165	Edw. Brown	814 Market street.
166	Geo. H. Kessler	812 Market street.
167	Edw. Kessler	812 Market street.
168	Jos. Behm	1002 Market street.
169	D. T. McKee	16 South Ninth street.
170	Ed. Brown	802 Market street.
171	Garfield Richie	10 South Eleventh street.
172	Wm. Doyle	1000 Market street.
173	Jos. L. Denning	906 Market street.

I now adjourn taking evidence at 1 p. m., January 2, 1903, to be resumed at 2 p. m., January 2, 1903.

I now resume the taking of evidence at 2.15 p. m., January 2, 1903, pursuant to adjournment.

Q. Have you received the poll books which you were using just before lunch to-day, from the custodian, Mr. Moore?—A. Yes.

Proceed with your testimony.

Number.	Name.	Address.
174	Louis Weil	815 Walnut street.
175	Berh Hammerlie	116 South Tenth street
176	Eliza Russell	1020 Market street.
177	F. P. Smith	808 Market street.
178	Jacob Goldring	1018 Market street.
179	Chas. Ramspot	1020 Clark avenue.
180	Wm. Welsh	1000 Market street.
181	Thos. Belrose	916 Market street.
182	Jno. W. Doerhoefer	823 Clark avenue.
183	O. J. Sullivan	902 Walnut street.
184	Wm. J. Collins	208 South Eleventh street.
185	Pat McGrail	812 Walnut street.
186	Jas. F. McBride	802 Market street.

PRECINCT 6, WARD 5—Continued.

Number.	Name.	Address.
187	Jno. J. Bray	119 South Tenth street.
188	Chas. Ray	818 Market street.
189	Jno. Toomey	820 Walnut street.
190	Wm. R. Renicks	119 South Tenth street.
191	Jos. Henry	27 South Eighth street.
192	C. H. Brown	27 South Eighth street.
193	Abraham Cohan	908 Market street.
194	Wm. Daniels	119 South Tenth street.
195	Edw. Kemp	12 South Eleventh street.
196	Wm. Ramsey	117 South Tenth street.
197	Frank Wagoner	1030 Clark avenue.
198	Edw. Purtell	821 Walnut.
In other on line 201.		
199	Pat Flannery	814 Walnut street.
In other book, line 202.		
200	Harvey Houston	121 South Tenth street.
In other book, line 198.		
201	Ed. Lawless	910 Market street.
In other book, line 199.		
202	Tony Stevens	906 Walnut street.
In other book, line 200.		
203	Chas. Caper	12 South Eleventh street.
204	Jos. Hollins	105 South Tenth street.
205	Patrick Doyle	1000 Market street.
206	Michael Drury	812 Walnut street.
207	Wm. Flannigan	1027 Clark avenue.
208	Jno. Kennedy	912 Walnut street.
209	Wm. Hieligman	823 Clark avenue.
210	B. F. Dill	900 Walnut street.
211	Moses Lane	804 Market street.
212	Chas. Kane	823 Clark avenue.
213	Wm. Winkler	5 South Ninth street.
214	Harry More	115 South Tenth street.
215	A. J. Henry	27 South Eighth street.
216	Pat McAdams	815 Walnut street.
217	Max Zinkeisen	14 South Ninth street.
218	Edwin P. Rathbone	800 Clark avenue.
219	Hugh A. Stewart	823 Clark avenue.
220	Jas. Tobin	821 Walnut street.
221	Edw. Condon	1036 Market street.
222	Andrew Bell	27 South Eighth street.
223	Chas. W. Connor	910 Walnut street.
224	Tim Hennessey	105 South Ninth street.
225	Pat Tobin	814 Walnut street.
226	Michael Curwin	819 Walnut street.
227	Wm. Kiely	1000 Walnut street.
228	Chas. Koehley	14 South Ninth street.
229	Jas. L. Smith	21 South Tenth street.
230	Wm. S. Brewer	1014 Walnut street.
231	Mike Dwyer	815 Walnut street.
232	Jno. Dwyer	904 Walnut street.
233	Hugh Fraughnan	817 Walnut street.
234	Jas. Walsh	27 South Eighth street.
235	Fred Kurtzweg	400 South Twelfth street.
236	Edw. O'Reilly	121 South Tenth street.
237	Thos. Mahoney	912 Market street.
238	M. J. Canaris	10 South Eleventh street.
239	Chas. Muench, jr	810 Walnut street.
240	Jas. A. Quinn	1002 Walnut street.
241	Wm. Querst	116 South Tenth street.
242	Jno. Jenkins	1028 Clark avenue.
243	Jack Hoffman	119 South Tenth street.
244	Geo. Lang	823 Clark avenue.
245	Jas. Horan	900 Walnut street.
246	Eli Moring	204 South Eleventh street.
247	Thomas Walsh	1002 Walnut street.
248	Herman Klemp	119 South Tenth street.
249	Peter Costello	23 South Tenth street.
250	Francis Fox	821 Walnut street.
251	Wm. McClintock	906 Market street.
252	Albert Meyer	823 Clark avenue.
253	Jake Pearson	1027 Clark avenue.

By Mr. KINSEY:

Q. Will you now turn to the certificates of the judges and clerks attached to these poll books and read therefrom the number of names certified to have been cast for the several candidates for Congress in the Twelfth Congressional district for the short term?—A. On one poll book James J. Butler received 189 votes; George C. R. Wagoner received 57 votes; Henry H. Artz received 1 vote. On the

other poll book James J. Butler received 189 votes; George C. R. Wagoner received ——— votes; Henry H. Artz received 1 vote.

Q. Mr. Caffer, by the blank line which you have indicated as being the return made for George C. R. Wagoner, is it your intention to state that there was no entry made in that poll book as to the number of votes received by George C. R. Wagoner in this precinct?—A. No.

Q. Do you see any evidence of an erasure or alteration, or does this poll book appear to be perfectly clear on this one line and show no indication of any entry having been made thereon?—A. From all appearances it does not look as if there has been any erasure; it shows no indication of an entry being made thereon.

Q. Is this certificate signed by the four judges and two clerks?—A. Yes.

Q. Will you now produce the poll book of the seventh precinct, Twenty-second Ward, and read therefrom the numbers, names, and places of residence of the voters contained therein, beginning with No. 1 and reading consecutively to the end thereof?—A. Yes.

SEVENTH PRECINCT, TWENTY-SECOND WARD.

No.	Name.	Address.
1.	Thomas Richardson	2824 Olive street.
2.	Francis Valle	2935 Olive street.
3.	Benjamin McLain	2933 Pine street.
4.	Wilson A. Taylor	2730 Olive street.
5.	Wilson S. Stites	2915 Olive street.
6.	Wm. F. Hurck	2728 Olive street.
7.	Henry Morman	2820 Olive street.
8.	N. P. Stephenson	2817 Pine street.
9.	M. J. Gilmore	2817 Pine street.
10.	Jacob Slupsky	2834 Olive street.
11.	Jno. Eberlin	2827 Olive street.
12.	Chas. H. Stem	2936 Locust street.
13.	Geo. L. McBride	2730 Olive street.
14.	Jas. C. Shaner	2730 Olive street.
15.	Francis X. Dooley	316 North Ewing avenue.
16.	Robt. Southard	2936 Locust street.
17.	Elthus Lassiter	2936 Locust street.
18.	Wm. Spiller	211 North Leffingwell.
19.	Alfred Henneman	2932 Olive street.
20.	Abraham Lincoln Burr	2722 Olive street.
21.	E. S. Carmichael	2923 Pine street.
22.	Ira Bontelle	2941 Pine street.
23.	Wm. Schuyler	2820 Locust street.
24.	Eugene Schuyler	2820 Locust street.
25.	John Schwanick	2928 Olive street.
26.	Jno. Leftwich	2911 Pine street.
27.	Hy. Springby	2737 Olive street.
28.	Louis Ceasar	2914 Locust street.
29.	Jos. J. Franklin	2838 Olive street.
30.	Alfred Jordan	2838 Olive street.
31.	Jas. Bourne	2806 Olive street.
32.	Chas. C. Mustain	2819 Olive street.
33.	Thos. S. Meng	316 North Ewing avenue.
34.	J. H. Sheets	2813 Pine street.
35.	Guy H. Mansur	2817 Pine street.
36.	Jno. E. Currell	2813 Pine street.
37.	Michael Quinn	2937 Pine street.
38.	Wm. Hilgers	2945 Pine street.
39.	Ben M. Bohannon	2824 Locust street.
40.	Edw. L. Cooley	2740 Locust street.
41.	Robt. Taylor	2720 Locust street.
42.	Alonzo Wright	2931 Pine street.
43.	Jas. Offield, jr	2930 Locust street.
44.	Almond Reynolds	217 North Ewing avenue.
45.	M. L. Decker	2933 Pine street.
46.	E. B. Broaddus	217 North Ewing avenue.
47.	Geo. F. Steedman	2803 Pine street.
48.	Elliott W. Douglas	2938 Locust street.
49.	Jno. E. Snoddy	2929A Olive street.
50.	A. L. Priest	2846 Olive street.
51.	Daniel W. Carlyle	2814 Olive street.
52.	Jno. W. Harrison	2835 Olive street.
53.	J. W. Whipple	2846 Locust street.
54.	Paul Cook, M. D.	2718 Olive street.
55.	Jos. C. Tracey	216 North Leffingwell.
56.	Jno. A. Quinn	2937 Pine street.
57.	Paul Henderson	2740 Locust street.
58.	Chas. V. Hurck	2728 Olive street.
59.	Ariel Smith	323 North Ewing avenue.
60.	Eugene M. Bosley	2728 Olive street.
61.	Jno. F. Nixon	2823 Olive street.

SEVENTH PRECINCT, TWENTY-SECOND WARD—Continued.

Number.	Name.	Address.
62	Chas. Lillich	2844 Locust street.
63	Moses Alexander	2939 Olive street.
64	Hy. Leibecke	2708 Olive street.
65	Jos. Guthrie	2943A Olive street.
66	Jas. Courtney	305 North Leffingwell.
67	R. C. Hanna	2939 Olive street.
68	F. C. Ameiss	2804 Olive street.
69	Shreve Carter	2934 Locust street.
70	Ben Winters	2846 Olive street.
71	Jno. S. Melon	2945 Olive street.
72	Wm. Lias	2803 Pine street.
73	Michael Dempsey	2913 Olive street.
74	Willis A. Stone	2941A Olive street.
75	Jerome Bradley, sr	2808 Olive street.
76	J. J. Garvey	2808 Locust street.
77	Samuel C. Richards	2716 Locust street.
78	T. J. Hanna	2939 Olive street.
79	Geo. Naetor or Naetre	2740 Locust street.
80	Crittenden Clark	2820 Olive street.
81	Jerome K. Bauduy; the other book J. K. Bauduy, jr.	2808 Olive street.
82	Paul Browning	2704A Locust street.
83	Saml. B. Grismore	2919 Olive street.
84	C. H. Guthrey	2939 Olive street.
85	Walter Clark	2820 Olive street.
86	R. B. Cain	2945 Pine street.
87	Chas. Rauscher	2710 Olive street.
88	Jno. H. Murre	2819 Locust street.
89	C. H. Wilcox	2945 Pine street.
90	I. G. W. Steedman	2803 Pine street.
91	Jos. Getner	2932 Locust street.
92	Wm. F. Rex	2844 Olive street.
93	Harry C. Grenmer	2740 Locust street.
94	R. W. Abbott	2924 Olive street.
95	Paul Winters	2716 Locust street.
96	Terry Conners	2945 Olive street, rear.
97	C. L. Cummings	2931 Olive street.
98	H. W. Chandler	2842 Olive street.
99	Wm. M. Haley	2926 Olive street.
100	Wm. Picket	2709 Olive street.
101	A. C. Cantley	2933 Olive street.
102	Park Von Weidstadt	2832 Locust street.
103	Jno. A. Thomas	2816 Locust street.
104	Jno. M. Raeder	2930 Olive street.
105	Adolph Huether	2945 Olive street.
106	Thomas A. Wade	2700 Locust street.
107	Ernst L. Neef	2721 Pine street.
108	Orson Davis	215 North Leffingwell.
109	W. M. Harvey	2925 Olive street.
110	F. L. Vaughn	2806 Locust street.
111	Richard Work	2938 Olive street.
112	Jno. Struck	2938 Olive street.
113	Creed F. Soward	2724 Olive street.
114	Harry Cadieux	2722 Olive street.
115	Albert Nigh	2939 Olive or 2930 Locust street.
116	B. F. Berry	2828 Locust street.
117	Louis Zimmermann	2828 Olive street.
118	Edw. Dillard	2804 Locust street.
119	Jas. Allen	2839 Olive street.
120	Louis Bull	2810 Locust street.
121	Auther Weld	2945 Olive street.
122	Michael Howe	2830 Locust street.
123	Chas. Woodward	2945 Olive street.
124	Ambrose Winston	2728 Locust street.
125	Nathan Jackson	210 North Ewing avenue.
126	Jno. Donovan	2844 Locust street.
127	Wm. B. Abbott	2924 Olive street.
128	Geo. Nunley	210 North Ewing avenue.
129	Gideon Carmichael	2823 Pine street.
130	Wm. F. Johnstone	2722 Olive street.
131	Sam Palinsky	2740 Olive street.
132	M. P. Barnett	2733 Olive street.
133	James Cella, jr.	216 North Leffingwell.
134	Geo. H. Niles	210 North Leffingwell.
135	Wm. Hemker	2904 Olive street.
136	C. J. Weber	2728 Olive street, rear.
137	Chas. R. Plato	2728 Olive street, rear.
138	F. B. Sagg	2846 Olive street.
139	Wm. Hanson	2716 Locust street.
140	Richard Schweickhardt	2802 Locust street.
141	Edw. D. Allinger	2808 Locust street.
142	E. H. Steedman	2803 Pine street.
143	Geo. Dennis	2841 Olive street.

SEVENTH PRECINCT, TWENTY-SECOND WARD—Continued.

Number.	Name.	Address.
144.....	Ora Dibble.....	8716 Locust street.
145.....	Jos. P. Wright.....	2825 Pine street.
146 (other book on line 145).	Jas. C. Kelly.....	2943 Pine street.
147 (on other book line 146).	Frank Wright.....	2825 Pine street.
148.....	Louis E. Schwan.....	2828 Locust street.
149.....	Geo. P. Rex.....	2844 Olive street.
150.....	Geo. Arndt.....	2816 Olive street.
151.....	F. W. Cooper.....	2839 Olive street.
152.....	Ira Cummings.....	2838 Olive street.
153.....	Jas. Searcy.....	2825 Pine street.
154.....	Hy. J. Jagels.....	2922 Olive street.
155.....	Harry S. Payton.....	217 North Ewing avenue.
156.....	Andrew J. Halpin.....	2913 Olive street.
157.....	Jeff B. Davidson.....	2838 Olive street.
158.....	Hy. B. Dodson.....	2933 Olive street.
159.....	Wm. R. Todd.....	2838 Olive street.
160.....	Solomon O. Giddings.....	2824 Locust street.
161.....	Ferdinand Schweickhardt.....	2802 Locust street.
162.....	H. C. Elhardt.....	2921 Olive street.
163.....	Thos. W. Smith.....	2724 Olive street.
164.....	Jos. Lillich.....	2844 Locust street.
165.....	Wm. Nigh.....	2930 Locust street.
166.....	Luke Halpin.....	2913 Olive street.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. Yes. James J. Butler received 120 votes; Henry H. Artz received 8 votes; George C. R. Wagoner received 71 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have just referred?—A. Four judges and two clerks.

Q. Will you produce the poll books used in precinct No. 1 in the Twenty-third Ward at the said election on November 4, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each said book?—A. Yes.

Number.	Name.	Address.
1.....	Thomas Colligan.....	718 Bernard street.
2.....	John Woodlock.....	2632 Bernard street.
3.....	Geo. M. Robertson.....	2642 Bernard.
4.....	John Lennard.....	535 West Jefferson.
5.....	Matthew Compton.....	2720 Randolph.
6.....	John J. Dwyer.....	2637 Scott.
7.....	Patrick J. Gorman.....	2726 Bernard.
8.....	Henry C. Spann.....	2722 Randolph street.
9.....	Geo. Knoblauch.....	2816 Bernard.
10.....	Frank Swigart.....	2824 Bernard street.
11.....	Michael Murphy.....	2800 Randolph street.
12.....	John J. McAnany.....	2665 Scott.
13.....	Jos. H. McAnany.....	2665 Scott.
14.....	Thomas Lyons.....	512 South Ewing.
15.....	Albert J. Kutz.....	508 South Ewing.
16.....	Wm. M. Baird.....	2652 Bernard.
17.....	Cornelius Heffernan.....	2625 Scott.
18.....	Patrick J. Fagan.....	535 West Jefferson.
19.....	Henry P. Monaghan.....	2802 Bernard street.
20.....	Robert Fox, jr.....	529 West Jefferson.
21.....	Chas. J. Fox.....	529 West Jefferson.
22.....	Frank Temmons.....	2608 Bernard street.
23.....	Wm. F. Lawler.....	2804 Bernard.
24.....	Edward W. Howard.....	2675 Scott avenue.
25.....	Chas. P. Monaghan.....	2736 Bernard.

I now adjourn the further taking of evidence at 5.50 p. m., January 2, 1903, until 7 p. m., January 2, 1903, to be continued at the same place.

Pursuant to adjournment, I now resume the taking of evidence at 7.30 p. m. January 2, 1903.

Q. Please proceed with the reading of numbers, names, and addresses from poll book, precinct 1, Ward 23.—A. Yes.

Number.	Name.	Address.
26.	Edward J. L. Peet	2679 Scott avenue.
27.	Donnonico Donandon	2623 Scott avenue.
28.	James Downey	2710 Randolph street.
29.	Robt. Fox	529 West Jefferson.
30.	Frank A. Wichnausher	2640 Bernard street.
31.	Jos. P. Harrigan	2717 Randolph street.
32.	Cornelius Aylward	518 South Ewing avenue.
33.	Philip Lauman	2828 Bernard street.
34.	Michael E. Lyons	2800 Bernard street.
35.	Patrick Clark	2830 Bernard street.
36.	Steven Evans	2625 Scott avenue.
37.	August Oliver	2625 Scott avenue.
38.	Wm. Seyton	2627 Scott avenue.
39.	Michael Fagan	535 West Jefferson.
40.	Chas. Schudding	525 West Jefferson.
41.	Patrick J. O'Brien	2677 Scott avenue.
42.	Jos. D. Kirby	2677 Scott avenue.
43.	F. W. Gottwald	2669 Scott avenue.
44.	Dennis W. Dullard	2646 Bernard street.
45.	James Laughlin	2827 Scott avenue.
46.	Frank Cunningham	2827 Scott avenue.
47.	James Kirby	2667 Scott avenue.
48.	Louis Seyton	2627 Scott avenue.
49.	John J. Sheehan	2657 Scott.
50.	Thos. J. Delamare	2614 Bernard street.
51.	Wm. J. Gorman	2610 Bernard.
52.	Wm. S. McAdams	2724 Bernard street.
53.	Ben Schuddig	525 West Jefferson.
54.	John O'Connor	2679 Scott.
55.	H. F. Wm. Subre	2628A Bernard.
56.	John E. Woods	503 South Jefferson.
57.	E. F. Smith	704 South Ewing.
58.	Thos. Fagan	535 West Jefferson.
59.	Peter S. Sheehan	2657 Scott.
60.	Paul E. Mahler	2646 Bernard street.
61.	James F. Oneill	2665 Scott avenue.
62.	Thos. M. Craden	2644 Randolph street.
63.	Chas. Hackmann	2616 Bernard street.
64.	Chas. H. O'Loughlin	501 South Jefferson.
65.	Lawrence Cundson	528 South Ewing.
66.	Wm. Hasey	2700 Randolph street.
67.	Chas. Childers	2652 Bernard street.
68.	John B. McSorley	2810 Randolph street.
69.	Norman N. Leightly	503 South Jefferson.
70.	Wm. J. Lane	506 South Ewing.
71.	Henry Gerhart	612 South Ewing.
72.	John T. Lyons	2800 Bernard street.
73.	Wm. D. McSorley	2810 Randolph street.
74.	F. Tim Grady	2704 Bernard street.
75.	Otto Henry Dierker	519 West Jefferson.
76.	Charles M. Barber	2610A Bernard street.
77.	John McElehan	606 South Ewing.
78.	Patrick J. Moran	702 South Ewing.
79.	Wm. Murphy	2833 Bernard street.
80.	Michael Dwyer	2637 Scott street.
81.	Sam T. Bradley	2623 Scott street.
82.	Wm. R. Wilson	702 South Ewing avenue.
83.	Thos. Craden	2641 Randolph street.
84.	Henry Rhodes	2621 Rear Scott avenue.
85.	Wm. Bulger	2704 Randolph street.
86.	J. T. Sullivan	2738 Bernard street.
87.	John P. Walter	539 West Jefferson.
88.	C. L. Renaker	2644 Randolph street.
89.	John J. Welch	2631 Bernard street.
90.	Alona P. Swayze	503 South Jefferson.
91.	Wm. Hebe	506 South Leflingwell.
92.	Wm. P. Smith	2612 Randolph.
93.	John A. Powers	2716 Bernard street.
94.	George Ishenbach	531 West Jefferson.
95.	John F. McAdams	2724 Bernard street.
96.	Jeremiah J. Murphy	2706 Randolph street.
97.	Patrick Conway	505 South Jefferson avenue.
98.	John P. Glennon	509 South Leflingwell.
99.	Patrick Shelley	2636 Bernard street.
100.	Shedrick Campbell	2621 Scott street.
101.	Chas. W. Lehmann	2612 Bernard street.
102.	Geo. W. Thompson	537 West Jefferson.
103.	Victor Ernest	2631 Scott avenue.

Number.	Name.	Address.
101.	Hugh P. Shelley	2636 Bernard street.
105.	Francis Z. Craden	2644 Randolph street.
106.	Jas. Boyle	2638 Bernard street.
107.	Thos. Downey	2710 Randolph street.
108.	Peter Toole	2640 Randolph street.
109.	Martin Teehan	2822 Bernard street.
110.	Christ Childers	2652 Bernard street.
111.	Jos. P. Meany	704 South Ewing.
112.	D. J. Downey	2710 Randolph.
113.	Jos. B. Grady	2704 Bernard street.
114.	Patrick Sullivan	526 South Ewing avenue.
115.	Chas. H. Kienzle	2801 Bernard street.
116.	Irvin Ross	2720 Randolph street.
117.	Anthony Dahn	2640 Bernard street.
118.	F. Henschele	2644A Scott avenue.
119.	Martin Curley	702 South Ewing avenue.
120.	John W. Nute	533 West Jefferson.
121.	Jos. E. Sexton	2710 Randolph street.
122.	Geo. McCall	2826 Bernard street.
123.	John J. Connors	2679A Scott avenue.
124.	Harry M. Fay	2673 Scott avenue.
125.	Jas. J. Flanagan	2716 Bernard street.
126.	John McMahon	2732 Bernard street.
127.	Louis F. Monahan	2802 Bernard street.
128.	Patrick J. Feehan	2822 Bernard street.
129.	Louis T. Ischenbach	531 West Jefferson.
130.	Chas. T. Calvert	2811 Scott avenue.
131.	Thos. J. Updike	2681 Scott avenue.
132.	F. J. Hamman	526 South Ewing.
133.	Chas. H. Adelman	2679 Scott avenue.
134.	John E. Naylor	541 West Jefferson.
135.	Chas. W. Naylor	521 West Jefferson.
136.	Tom. W. Baxter	510 South Ewing.
137.	John Davitt	2675 Scott.
138.	Martin J. Connors	2679 Scott.
139.	John A. Handley	2638 Bernard street.
140.	Luke Monahan	2710 Bernard.
141.	Geo. C. Collins	2617 Randolph street.
142.	Thos. V. Young	2704 Randolph street.
143.	Daniel Murphy	2634 Bernard street.
144.	Chas. Connors	2679A Scott avenue.
145.	Joshua Miller	2621 Scott avenue.
146.	John J. Murphy	2800 Randolph street.
147.	Daniel J. Dwyer	2645 Scott avenue.
148.	Wm. Newberry	702 South Ewing avenue.
149.	John F. Feehan	2822 Bernard street.
150.	John Moran	702 South Ewing.
151.	Edw. Cauley	702 South Ewing avenue.
152.	Andrew Hetherington	2640 Bernard.
153.	Patrick H. Cullen	702 South Ewing avenue.
154.	Edward Gilroy	700 South Ewing avenue.
155.	Geo. Young	700 South Ewing avenue.
156.	Andrew S. Grady	2704 Bernard street.
157.	Bernard J. Woodlock	2632 Bernard street.
158.	James J. Curley	702 South Ewing avenue.
159.	James F. Colligan	2718 Bernard street.
160.	Wilbert J. Scott	2645 Scott avenue.
161.	Wm. C. Hogan	2671 Scott avenue.
162.	Thos. M. B. Smith	2622 Bernard street.
163.	Peter A. Hall	2617 Randolph street.
164.	Barney Fagin	535 West Jefferson.
165.	Patrick Gorman	2726 Bernard street.
166.	Chas. Reeves	2637 Scott avenue.
167.	Edward Hickey	2661 Scott avenue.
168.	James Hickey	2661 Scott avenue.
169.	Edward Mattox	600 South Ewing avenue.
170.	John R. Canton	514 South Ewing.
171.	Jules H. Nemours	520 South Ewing.
172.	Clarence Vaughan	2612 Bernard street.
173.	John Hallquist	2630 Bernard street.

Q. (By Mr. CLIME.) Will you examine these certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. James J. Butler received 108 votes, George R. Wagoner received 53 votes, Henry H. Artz received 2 votes, according to one certificate; and according to the other certificate James J. Butler received 108 votes, George D. Reynolds received 53 votes, Henry H. Artz received 2 votes.

Q. How many of the judges and clerks have signed the respective certificates to which you have just referred?—A. Four judges, two clerks.

Q. Will you now produce the poll books contained in the ballot box used in precinct No. 6 of the Twenty-third Ward at said election on the 4th of November, 1902, in the city of St. Louis, Mo., and read therefrom the name, number, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each said book?—A. Yes.

Number.	Name.	Address.
1.	S. M. Warner	3519 Manchester avenue.
2.	A. Johnson	3428 Laclede avenue.
3.	Matt C. Boyce	3421 Walnut street.
4.	John Clancy	3408 Walnut street.
5.	Frank McGuire	3410 Laclede avenue.
6.	J. O. Boyce	2421 Walnut street.
7.	John B. Fitzpatrick	3435 Walnut street.
8.	Edward McConnell	3508 Clark avenue.
9.	Jos. Freeman	3400 Walnut street.
10.	Edward P. Woods	3419 Clark avenue.
11.	Jim McKelvey	3407 Walnut street.
12.	Thos. T. Kane	3406 Walnut street.
13.	George Weiss	3403 Manchester.
14.	Wm. Lawson	3402 Walnut street.
15.	Chas. R. Green	3500 Laclede avenue.
16.	John A. Redman	3426 Clark avenue.
17.	Hugo Jacobson	3408 Laclede avenue.
18.	Jos. N. Meyers	3417 Clark avenue.
19.	F. L. Keightley	3425 Clark avenue.
20.	J. W. Quinn	3505 Clark avenue.
21.	Wm. Sahrman	3401 Walnut street.
22.	Fred J. Treibelcock	3411A Manchester.
23.	J. P. Bresnahan	3525 Clark avenue.
24.	M. J. Furlong	3536 Clark avenue.
25.	J. H. Buettner	3521 Manchester.
26.	Wm. H. F. Line	3410 Walnut street.
27.	John R. McCarthy	3418 Laclede avenue.
28.	Thomas Hogan	3536 Clark avenue.
29.	Bernard Fellenz	3423 Clark avenue.
30.	Edward P. Walsh	3526 Laclede avenue.
31.	Pat Frost	3515 Clark avenue.
32.	Wm. Busch	3405 Walnut street.
33.	Henry Engels	3526 Laclede avenue.
34.	Thomas Walker	3428 Laclede avenue.
35.	John Hines	3508 Clark avenue.
36.	J. C. Woodlock	3437 1/2 Clark avenue.
37.	P. J. Walsh	3434 Walnut street.
38.	Jas. McCoghey	3472 Laclede avenue.
39.	Wm. H. Kerney	3434 Laclede avenue.
40.	Chas. W. Kerney	3434 Laclede avenue.
41.	Conrad Steiger	3401 Manchester avenue.
42.	Simon Ittel	2403 Clark avenue.
43.	Thomas Kane	3406 Walnut street.
44.	John Knott	3504 Clark avenue.
45.	Michael J. Woodlock	3435 Manchester.
46.	Herman Ostermeyer	3535 Manchester.
47.	Morris Quan	3527 Clark avenue.
48.	James O'Neill	3517 Clark avenue.
49.	Herman Gallant	3432 Laclede avenue.
50.	Henry Haurahan	3502 Clark avenue.
51.	C. Lew Gallant	3432 Laclede avenue.
52.	Matt Defuh	3124 Clark avenue.
53.	T. J. Reed	3416 Laclede avenue.
54.	Gene Neilson	3125 Walnut street.
55.	Louis P. Nelson	3421 Clark avenue.
56.	Martin Moran	3515A Clark avenue.
57.	James Hamill	108 South Theresa avenue.
58.	Patrick McCoy	3412 Clark.
59.	J. W. Jones	3522 1/2 Clark avenue.
60.	Jos. T. Boland	3531 B Clark avenue.
61.	John Frost	3523 Clark avenue.
62.	Steve Fanning	3416A Clark avenue.
63.	W. E. Howe	3112 Clark avenue; other book, 3112 Walnut street.
64.	Jos. Spitz	3103 Clark avenue.
65.	W. L. McGinnity	14 South Theresa avenue.
66.	Jas. A. Keithley	3423 Clark avenue.
67.	John Bannbrick	3527 Manchester.
68.	Otto Zeisse	3419 Walnut street.
69.	John F. Barrett	3507 Manchester.
70.	John Cronin	21 Engine House.
71.	John P. Meyers	3417 Clark avenue.
72.	John W. Green	3500 Laclede avenue.
73.	John A. Watson	3516 Clark avenue.
74.	John McCormick	3125 Manchester.
75.	Henry Schollmeyer	3427 Manchester.
76.	E. J. Hanabran	3502 Clark avenue.
77.	Chas. C. Engel	3421 Clark avenue.

Number.	Name.	Address.
78.....	Michael J. Maloney.....	3534 Laclede avenue.
79.....	Jno. F. Coughlin.....	3408 Walnut street.
80.....	C. K. Davis.....	3531 Clark avenue.
81.....	Chas. K. Holland.....	3522½ Clark avenue.
82.....	Richard Smith.....	3509 Clark avenue.
83.....	James Carr.....	3417A Walnut street.
84.....	E. J. Freimuth.....	3519A Clark avenue.
85.....	O. E. Bell.....	3401½ Walnut street.
86.....	W. F. Froin.....	3535A Clark avenue.
87.....	John Armstrong.....	3530 Clark avenue.
88.....	Matt Brennan.....	104 South Theresa avenue.
89.....	Patrick Riordan.....	3426 Walnut street.
90.....	Geo. C. Keena.....	3526 Laclede avenue.
91.....	Wm. H. Sadler.....	3504 Clark avenue.
92.....	A. C. King.....	3418 Laclede avenue.
93.....	Wm. M. Meehan.....	3503 Clark avenue.
94.....	Edward McCarthy.....	3407 Manchester.
95.....	James Mitchell.....	3505 Clark avenue.
96.....	James Quinn.....	3505 Clark avenue.
97.....	John Fanning.....	3416A Clark.
98.....	C. L. Sherot.....	3434 Laclede avenue.
99.....	R. R. O'Hern.....	3532 Clark avenue.
100.....	Wm. Sullivan.....	3443 Clark avenue.
101.....	Pat B. Freeman.....	3400 Walnut street.
102.....	Luke Hasty.....	3434 Clark avenue.
103.....	Chas. Stoney.....	3414 Laclede avenue.
104.....	Clarence Keaneey.....	108 South Theresa avenue.
105.....	Sylvester Hogan.....	3510 Clark avenue.
106.....	Thos. J. Cradeck.....	3472 Laclede avenue.
107.....	John Walsh.....	3513 Clark avenue.
108.....	Geo. T. McNamee.....	3472 Laclede avenue.
109.....	John Huber.....	3418 Laclede avenue.
110.....	Clinton C. Ferguson.....	3427 Walnut street.
111.....	Frank Holland.....	3411 Walnut street.
112.....	John M. Sparks.....	3417B Walnut street.
113.....	A. T. Woolfarth.....	3526 Laclede avenue.
114.....	Vincent D. Rossmann.....	3438 Laclede avenue.
115.....	Robt. Thornhill.....	3409 Manchester avenue.
116.....	John J. Godfrey.....	3406 Clark avenue.
117.....	Jas. J. McCoy.....	3412 Clark avenue.
118.....	James F. Mitchell.....	3529 Clark avenue.
119.....	Wm. Lewis.....	3500 Laclede avenue.
120.....	Robt. Fisher.....	3533A Clark avenue.
121.....	Peter Barrett.....	3407 Manchester.
122.....	John Triebelcock.....	3401A Manchester.
123.....	C. R. Krause.....	3413 Walnut street.
124.....	J. P. Kransie.....	3500 Clark avenue.
125.....	Wm. A. Lyons.....	3503 Manchester.
126.....	Claude J. Fitzpatrick.....	3435 Walnut street.
127.....	N. F. Lennon.....	3406 Walnut street.
128.....	Jas. F. Fleming.....	3427 Walnut street.
129.....	John Blank.....	3403 Manchester.
130.....	T. B. Jones.....	3522½ Clark avenue.
131.....	Frank M. Wright.....	3415A Walnut street.
132.....	Jas. M. Lynch.....	3529 Manchester.
133.....	W. H. Lindsay.....	3523 Manchester.
134.....	Richard Dundon.....	3433 Manchester.
135.....	Abraham Gallant.....	3432 Laclede avenue.
136.....	Tom A. McCoy.....	3412 Clark.
137.....	John J. Moore.....	3439 Clark avenue.
138.....	John Sheehan.....	3526 Laclede avenue.
139.....	George Neuner.....	3405 Clark avenue.
140.....	Patrick Caraghar.....	3519 Manchester.

I now adjourn the taking of evidence at 10.30 p. m., January 2, 1903, to be continued at 9. a. m., January 3, 1903, at the same place.

I now resume the taking of depositions, January 3, 1903, at 9 a. m., pursuant to adjournment.

Q. (By Mr. HOLTKAMP.) Will you now resume reading from the poll book of the sixth precinct, Twenty-third Ward, at the point where you closed for the adjournment last night?—A. Yes.

Number.	Name.	Address.
141.....	James M. Williamson.....	3433 Walnut street.
142.....	Pat Barrett.....	2507 Manchester avenue.
143.....	Jno. Mitchell.....	3529 Clark avenue.
144.....	Wm. Wallbrinck.....	3435 Manchester avenue.

Number.	Name.	Address.
145.	Jacob Schmidt.	3429 Manchester avenue.
146.	A. C. Bosso.	3105 Walnut street.
147.	Alfred S. Brinton.	3423 Walnut street.
148.	J. S. Watson.	3426 Laclede avenue.
149.	Wm. Finn.	3411 Manchester avenue.
150.	Wm. Winkelhaka.	3507½ Manchester.
151.	James Rady.	3516 Laclede avenue.
152.	Theo. Crusius.	3101 Manchester.
153.	Albert E. Heinrich.	3516A Clark avenue.
154.	Jno. Tiernan.	3520 Laclede avenue.
155.	J. C. Boyle.	3402A Walnut street.
156.	Henry Pape.	3528 Clark avenue.
157.	Jno. W. Pape.	3528 Clark avenue.
158.	Edw. Moss.	104 South Theresa avenue.
159.	Matthew Evers.	3522A Clark avenue.
160.	Michael Furlong.	3536 Clark avenue.
161.	Wm. J. Boyd.	3513 Clark avenue.
162.	Jas. C. Heade.	3418 Walnut street.
163.	Michael J. Kidney.	3537 Manchester.
164.	Jno. Clancy.	3417 Walnut street.
165.	Harry S. Sharpe.	3518 Laclede avenue.
166.	Thos. O'Brien.	3133 Manchester avenue.
167.	Herman Laufer.	3443 Clark avenue.
168.	Thos. Cody.	3538 Clark avenue.
169.	Edw. F. Martin.	3537 Manchester avenue.
170.	Jas. A. Condon.	3524 Clark avenue.
171.	J. G. Keenan.	3428 Laclede avenue.
172.	J. H. McMahon.	3531A Clark avenue.
173.	Jas. F. Moore.	3439A Clark avenue.
174.	Martin Powers.	3428 Walnut street.
175.	Thos. Kane.	3428 Clark avenue.
176.	J. G. Hitt.	3514 Laclede avenue.
177.	Thos. F. Bresnahan.	3513 Clark avenue.
178.	Jos. W. Hughes.	3400 Laclede avenue.
179.	Eugene Karst.	3514 Laclede avenue.
180.	Wm. Lewis.	3500 Laclede avenue.
181.	Wm. Mustard.	3437 Walnut street.
182.	Wm. Fay.	3516 Laclede avenue.
183.	Geo. Griffith.	3514 Laclede avenue.
184.	Jos. H. Brown.	3509 Manchester avenue.
185.	Wm. Warning.	3401 Manchester avenue.
186.	Julius Holdmeyer.	3431 Manchester avenue.
187.	M. Lawson.	3402 Walnut street.
188.	J. G. Mosgrove.	3437 Walnut street.
189.	P. V. McDonald.	3408 Clark avenue.
190.	Frank X. McDonald.	3408 Clark avenue.
191.	Edw. O'Brien.	3411 Walnut street.
192.	John Reedy.	3533 Clark avenue.
193.	Thos. E. Lawson.	3402 Walnut street.
194.	Pat Finnigan.	3510 Clark avenue.
195.	Edw. F. Taylor.	3530 Laclede avenue.
196.	Jno. F. Rossman.	3438 Laclede avenue.
197.	E. J. Taylor.	3425 Clark avenue.
198.	Bernard Muldoon.	3527 Clark avenue.
199.	P. H. McDonald.	3408 Clark avenue.
200.	R. H. Mosgrove.	3437 Walnut street.
201.	Timothy Kidney.	3531 Manchester.
202.	P. K. Kidney, other book, T. K. Kidney.	3531 Manchester avenue.
203.	Paul K. Finley.	14 South Theresa avenue.
204.	Wm. George.	3523 Clark avenue.
205.	P. W. Bambrick.	3527 Manchester.
206.	A. F. Trinkus.	3505 Manchester avenue.
207.	Geo. Worden.	3428A Clark avenue.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at said precinct?—A. Yes; James J. Butler received 140 votes; George C. R. Wagoner received 50 votes, according to each certificate.

Q. How many of the judges and clerks have signed each of the certificates to which you have just referred?—A. Four judges and 2 clerks.

CITY OF ST. LOUIS, *State of Missouri*, ss:

I, George A. Caffer, being duly sworn as aforesaid, testify that all of the numbers, names, and addresses appearing in the foregoing deposition, beginning with the fourth precinct of the Fifth Ward were written down in my presence and that the same are recorded as they appear in the poll books produced and read from as above.

GEO. A. CAFFER.

MICHAEL CALLAHAN and JOHN A. PIPER being duly sworn on the part of the contestant, testify as follows:

Q. Have you in your possession the poll books used in the ninth precinct of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis?—A. Yes.

Q. These are the books received from Mr. Moore and Mr. Regan you have charge of from the election commissioners?—A. Yes.

Q. Please take these books and read the numbers, names, and addresses as recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number.

Mr. FRUMBERG. Notwithstanding the fact that the charge has been frequently made that the contestee and his attorneys were obstructing and endeavoring to consume unnecessary time in this investigation, the contestee, however, hereby agrees to allow this method of procedure for the purpose of hastening this work and avoiding the charge heretofore referred to. The contestee, however, suggests that it is extraordinary and ridiculous for the notary, William D. Moore, to take the depositions of Messrs. Callahan and Piper on one hand and Sloan and Jordan, Rinkel and Masterson on the other hand, constituting three sets of depositions being heard before the same notary at the same time.

Number.	Name.	Address.
1.....	Berger, John G.....	2604 Laclede avenue.
2.....	Sly, Wm.....	2630 Lawton avenue, or 2638 Lawton avenue.
3.....	Smith, Eugene.....	2635 Lawton avenue.
4.....	Grinham, James.....	2620 Laclede avenue.
5.....	No name.....	
6.....	Meyers, James B.....	2622 Lawton avenue.
7.....	Geissler, August.....	2610 Market street.
8.....	Bender, Charles.....	227 South Jefferson avenue.
9.....	Sayers, Charles.....	235 South Jefferson.
10.....	Materne, Richard.....	2607 Laclede avenue.
11.....	Blattner, Fred.....	233 South Jefferson avenue.
12.....	Allan, Joda.....	2638 Pine street.
13.....	Brown, James B.....	2638 Lawton avenue.
14.....	Payton, John.....	2614 Laclede avenue.
15.....	Archer, George.....	2631 Market street.
16.....	Wright, George.....	2639 Lawton avenue.
17.....	Swan, Henry R.....	2631 Lawton avenue.
18.....	Hills, George.....	2631 Laclede avenue.
19.....	Dinsmore, Albert.....	2610 Lawton, or 2610 Laclede avenue.
20.....	Shaw, Matthew.....	2629 Market street.
21.....	Washington, Theodore.....	2607A Lawton avenue.
22.....	Wheeler, John W.....	2617 Lawton avenue.
23.....	Gunn, Frank.....	232 South Dumont.
24.....	Keighley, Squire.....	2612 Laclede avenue.
25.....	Boyle, James.....	2637 Market street.
26.....	Scheer, Joseph.....	2624 Walnut street.
27.....	Reifschneider, Henry.....	2625½ Walnut street.
28.....	Mackay, W. Edw.....	2630 Walnut street.
29.....	Fitzgerald, Jos. E.....	2629 Walnut street.
30.....	Scheer, Diedrich.....	2624 Walnut street.
31.....	Henry, J. D.....	236 South Dumont.
32.....	Schadt, Louis (263).....	2631 Laclede avenue.
33.....	Scheer, Fred J.....	2624 Walnut street.
34.....	Smith, Phillips J.....	214 South Dumont.
35.....	Lighter, Russel A.....	2625R Walnut street.
36.....	Grinham, Wm. J.....	2620 Laclede avenue.
37.....	Fields, Wm. H.....	2612 Pine street.
38.....	Fox, George W.....	222½ South Dumont.
39.....	Daves, John H.....	240 South Dumont.
40.....	Burghaman, John H.....	2625 Walnut street.
41.....	Pfeiffer, Edward.....	2620 Laclede avenue.
42.....	Clary, Morris D.....	2619A Market street.
43.....	Keele, Pat.....	2607 Laclede avenue.
44.....	Anderson, George H.....	2609 Lawton avenue.
45.....	Mansiffee, Wm. H.....	2643 Lawton avenue.

I now adjourn the taking of evidence for a recess from 12.45 p. m. until 2 p. m., December 31.

I now resume the taking of testimony at 2.15 p. m., December 31, pursuant to adjournment.

Number.	Name.	Address.
46.	Mosby, Wm. H.	2 North Dumont.
47.	Geissler, Alfred or Oliver	26 North Market street.
48.	Turpin, Charles	2609A Market street.
49.	Flowers, W. D.	2630 Lawton avenue.
50.	Schinike, Oscar, or Schinkey	2621 Lawton avenue.
51.	Tucker, John D.	2638 Pine street.
52.	Curtiss, W. T., or Cutis, Wm. F.	2629 Lawton avenue.
53.	Bartlett, Clive H.	231 South Jefferson avenue.
54.	Leischmann, John	222½ South Dumont.
55.	O'Hara, John	103 South Jefferson avenue.
56.	O'Hara, E. J.	103 South Jefferson avenue.
57.	Gallagher, Chas.; other no initial.	2617 Market street.
58.	Rohling, W. C.	2600 Market or Laclede.
59.	Pape, Gustav	26 Laclede avenue.
60.	Rohlfing, Henry T.	2600 Laclede avenue.
61.	Bittalauga, Lorenz	2615 Market street.
62.	Casey, George J.	2601 Walnut street.
63.	Henderson, Marion S.	2613 Lawton avenue.
64.	Williams, Andrew	3632 Lawton avenue.
65.	Spalding, Benedict	231 South Jefferson avenue.
66.	Bodenheimer, Guy	2629 Lawton avenue.
67.	Barber, W. H.	103 South Jefferson avenue.
68.	Murphy, Pat J.	222 South Dumont.
69.	Drew, G. P.	2636 Laclede avenue.
70.	Adelmann, Chas.	2611 Laclede avenue.
71.	Wilmers, John A.	218 South Dumont.
72.	Weigel, Henry	238 South Dumont.
73.	Caughn, John H.	215 South Jefferson avenue.
74.	Clarke, Chas. B.	2611 Walnut street.
75.	Roderlich, Anton P.	2627 Walnut street.
76.	Davis, Thomas	2626 Walnut street.
77.	Hinkel, John B.	103 North Jefferson avenue.
78.	Bailey, Ernst	2632 Lawton avenue.
79.	Berliner, A. G.	2615 Market street.
80.	Schmidt, George	2620 Laclede avenue.
81.	Moss, Wm.	2623 Market street.
82.	Segar, Morris	2634 Lawton avenue.
83.	Bergmann, William	2625 Walnut street.
84.	O'Connor	232 South Dumont.
Other book on line 86.		
85.	Robbins, Clarence	103 South Jefferson avenue.
Other book on line 84.		
86.	King, Bernard	116 South Dumont.
Other book on line 85.		
87.	Wagman, Chas. L.	2602 Laclede avenue.
88.	Gibson, David	241 South Jefferson avenue.
89.	Sturgeon, Joseph	103 South Jefferson avenue.
90.	Simms, George S.	2609 Lawton avenue.
91.	Muse, Lee	2630 Lawton avenue.
92.	Frausmann, Henry	2631 Laclede avenue.
93.	Clary, Daniel	2619A Market street.
94.	Scott, William	2640 Lawton avenue.
95.	Ogden, Madison M.	2626 Lawton avenue.
96.	Simpson, Robert	2603 Lawton avenue.
97.	Stoltmann, Henry	2631 Laclede avenue.
98.	Light, James R.	2613 Laclede avenue.
99.	Van Epps, John E.	2611 Walnut street.
100.	Turner, Gus	2607A Lawton avenue.
101.	Lau, Fred	2611 Laclede avenue.
102.	Weir, James	2631 Lawton avenue or Walnut.
103.	Kallenbach, Frank, or Kalenbach	7 North Jefferson avenue.
104.	Klag, John	2611 Laclede avenue.
105.	Eckenfelfdt, George	2621 Walnut street.
106.	McCroy, William	2631 Laclede avenue.
107.	Heinze, John	2605 Market street.
108.	Wheeler, Chas.	2617 Lawton avenue.
109.	Page, Thomas	2612 Pine street.
110.	Logue, Edward J.	2623 Market street.
111.	Baitainger, Chas., or Battainger	227 South Jefferson avenue.
112.	Mattsen, Chas.	2625 Walnut street.
113.	Dean, Phillip	234 South Dumont.
114.	Rothwild, Peter	2629 Laclede avenue.
115.	Gustafson, Carl	2627 Walnut street.
116.	Bender, Wm. J.	237 South Jefferson avenue.
117.	Steinfatt, Ernest	2628 Laclede avenue.
118.	Clendenin, Chas. N.	2616 Laclede avenue.
119.	Ferris, Brazil; or Tarares	2629 Laclede avenue.
120.	Wright, Geo. D.	6 North Dumont.
121.	Thompson, H. H.	2629 Lawton avenue.
122.	Gregg, Elmer R.	236 South Dumont.
123.	Murray, Frank	232 South Dumont.

Number.	Name.	Address.
124.....	Calhoun, John C.....	2605 Lawton avenue.
125.....	Bagnall, Isaac.....	2611R Walnut street.
126.....	Bender, George.....	237 South Jefferson avenue.
127.....	Haug, Albert.....	2615 Market street.
128.....	Sackmann, Rudolph.....	2623 Walnut street.
129.....	Ukle, John.....	2621 Walnut street.
130.....	Hawk, Frank.....	213 South Jefferson avenue.
131.....	Branch, Jordan M.....	2610 Lawton avenue.

Q. Please state the number of votes for each candidate for the short term as shown by the certificate of the judges.—A. James J. Butler, 45; 60 for Wagoner.

Q. How many of the judges and clerks signed the poll books?—A. All of them.

Q. Will you produce the poll books used in the eighth precinct, Sixth Ward, at the election held November 4, 1902, in the city of St. Louis?—A. Yes.

Q. Are these the books received from Mr. Moore and Mr. Regan you have from the election commissioners?—A. Yes.

Q. Please take these books and read the numbers, names, and addresses as recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number.—A. Yes.

Number.	Names.	Addresses.
1.....	Dolphin, James.....	1329 Papin street.
2.....	Caulin, M. J.....	1018 Papin street.
3.....	Power, Edward.....	1101 Papin street.
4.....	Turner, D.....	1522 Papin street.
5.....	Crow, F. L.....	1205 Chouteau avenue.
6.....	Steiner, Henry A.....	1521 Papin street.
7.....	Scarborough, J. T.....	1103 Chouteau avenue.
8.....	McDermott, Thomas.....	1401 Chouteau avenue.
9.....	Miles, Chas.....	916 South Thirteenth street.
10.....	Schartrand, George.....	1111 Chouteau avenue.
11.....	Muldoon, Michael.....	1400 Papin street.
12.....	Stanley, P. S.....	911 South Fourteenth street.
13.....	Mauer or Mauerer.....	1451 Chouteau avenue.
14.....	Mardorff, H. F.....	1111 Chouteau avenue.
15.....	Hagney, Denis.....	915 South Ninth street.
16.....	Smith, S. J.....	920 South Fourteenth street.
17.....	Angermueller, Paul.....	1209 Chouteau avenue.
18.....	Graf, Ad.....	921 Chouteau avenue.
19.....	Haugen, F. W., jr.....	1507 Chouteau avenue.
20.....	Murphy, James A.....	914½ South Fourteenth street.
21.....	Brooks, B. W.....	816½ rear South Fourteenth street.
22.....	Bongner, J., sr.....	915 Chouteau avenue.
23.....	Nolten, August.....	1223 Chouteau avenue.
24.....	McGinnis, S. P.....	813 South Tenth street.
25.....	Coyne, Pat.....	916 Gratiot street.
26.....	Magee, Michael.....	1329 Chouteau avenue.
27.....	Leis, H. O.....	928 South Fourteenth street.
28.....	Schleiffort, Chas. W.....	1525 Chouteau avenue.
29.....	Ukle, John.....	1111 Chouteau avenue.
30.....	Nesor, George.....	812 South Tenth street.
31.....	Yost, John N.....	901 Chouteau avenue.
32.....	Maysack, L. W.....	912 South Tenth street.
33.....	Rixman, F. E.....	1009 Chouteau avenue.
34.....	Rixman, L. H.....	1009 Chouteau avenue.
35.....	McCully, John M.....	1507 Chouteau avenue.
36.....	Maysack, R. L.....	912 South Tenth street.
37.....	Sheridan, Wm.....	1004 Gratiot street.
38.....	Ruga, P. A.....	1400 Papin street.
39.....	Reese, F. C.....	1018 Papin street.
40.....	Schwartz, Wm.....	907 South Eleventh street.
41.....	Snyder, Louis.....	1500 Chouteau avenue.
42.....	Caughlin, P. J.....	1507 Chouteau avenue.
43.....	Carter, D. D.....	1518 Papin street.
44.....	Connelly, E. A.....	131 Chouteau avenue.
45.....	Skeel, George.....	926 South Fourteenth street.
46.....	Baseel, Joseph.....	812 South Tenth street.
47.....	Wanna, George.....	812 South Tenth street.
48.....	Ellis, George.....	812 South Tenth street.
49.....	Taiar, Solens.....	812 South Tenth street.
50.....	Altla, Korraue.....	902 Gratiot street.
51.....	Najih, Salez.....	812 South Tenth street.
52.....	Thomas, Asag.....	812 South Tenth street.
53.....	Ranny, Joseph.....	901 South Ninth street.
54.....	Faiar, Ferris.....	812 South Tenth street.
55.....	Dahar, Francis.....	812 South Tenth street.

Number.	Names.	Addresses.
56.	Klweory, Ferris	812 South Tenth street.
57.	Saleh, Kahill	812 South Tenth street.
58.	Phelan, George	812 South Tenth street.
59.	Baseel, Job	812 South Tenth street.
60.	Weber, Wm. F.	818 South Tenth street.
61.	Priest, W. G.	1003 Chouteau avenue.
62.	Gross, F. C.	919 Chouteau avenue.
63.	Davis, Archue	916 South Thirteenth street.
64.	Gibson, Thomas	1421 Chouteau avenue.
65.	Morrissey, John F.	829 South Ninth street.
66.	Brown, John	311 Chouteau avenue.
67.	Dossen, Chas	1233 Chouteau avenue.
68.	Anderson, A. C. D.	1237 Chouteau avenue.
69.	McCann, A.	1457 Chouteau avenue.
70.	Conell, M.	1009 Chouteau avenue.
71.	Ellsnerr, Her.	1029 Chouteau avenue.
72.	Gross, Henry	1009 Chouteau avenue.
73.	Betton, Chas., jr.	912 South Tenth street.
74.	Donovan, John	1008 Papin street.
75.	Ghartrand	1008 Papin street.
76.	Lenz, George	901 South Tenth street.
77.	Franklin, Jos	819 South Tenth street.
78.	Elif, Jos	1319 Chouteau avenue.
79.	Backlage, Lewis	1515 Chouteau avenue.
80.	Berney, John	1008 Papin street.
81.	Menke, Wm. A.	819 South Ninth street.
82.	Flowers, Wm	900 South Tenth street.
83.	Bahley, M.	902 Gratiot street.
84.	Rice, Edward	1438 Papin street.
85.	Saleh, Najih	812 South Tenth street.
86.	Rodenberger	923 Chouteau avenue.
87.	Lovering, George W. W.	920 Gratiot.
88.	McKee, T. S.	916 South Fourteenth street.
89.	Koenig, Wm	821 South Ninth street.
90.	Walmaker, Wm	913 South Ninth street.
91.	Fitzwater, J. S.	1418 Papin street.
92.	Shepperd, John	914 Gratiot street.
93.	Wardell, James	1403 Chouteau avenue.
94.	Williams, Frank	916 South Fourteenth street.
95.	Waldeman, A.	1441 Chouteau avenue.
96.	Schrader, Wm	909 South Eleventh street.
97.	O'Grady, J.	1410 Papin street.
98.	Cramer, Albert	1329 Chouteau avenue.
99.	Billieps, T.	816½ South Fourteenth street.
100.	Hendricks, John	1002 Gratiot street.
101.	Schweringer, P.	910 Gratiot street.
102.	Angermueller, W. F.	1201 Chouteau avenue.
103.	Ludwig, C. V. F.	1515 Chouteau avenue.
104.	Anderson, H.	924 South Fourteenth street.
105.	Mynhart, Joseph	921 Chouteau avenue.
106.	Schweppe, Jos	1409 Chouteau avenue.
107.	Dolan, John	926 South Fourteenth street.
108.	Hyman, Thomas	914 Gratiot street.
109.	McDermott, Thos., sr.	802 South Tenth street.
110.	Moore, W. J.	924 South Fourteenth street.
111.	Hughes, James W.	1438 Papin street.
112.	Coll, Chas.	1321 Chouteau avenue.
113.	Martland, C.	1447 Chouteau avenue.
114.	Winters, H.	1233 Chouteau avenue.
115.	Ganter, John	911 South Tenth street.
116.	Swafford, L.	907 South Twelfth street.
117.	Claess, August F.	911 South Eleventh street.
118.	Finnegan, Edward	1455 Chouteau avenue.
119.	McDermott, G., jr.	802 South Tenth street.
120.	Owens, B. F.	1441 Chouteau avenue.
121.	Craemer, Frank	1441 Chouteau avenue.
122.	Waldron, P.	1211 Chouteau avenue.
123.	McCollogan, F.	912 Gratiot street.
124.	Yeager, Fred	802 South Tenth street.
125.	Bryan, Ed.	916 South Thirteenth street.
126.	Grimes, F.	1422 Papin street.
127.	Hunnimann, D.	823 South Ninth street.
128.	Boecher, Henry	911 South Ninth street.
129.	Hall, John F.	1421 Chouteau avenue.
130.	Irvin, John	1215 Chouteau avenue.
131.	Anderson, Henry	918 Gratiot street.
132.	Estis, Jeff	1203 Chouteau avenue.
133.	Johanna, Jos	902 Gratiot street.
134.	Ryan, John J.	902 Gratiot street.
135.	Cushing, Ed.	831 South Ninth street.
136.	Supermann, A.	902 South Tenth street.
136.	Other book, Ganter, G. K.	911 South Tenth street.
137 (in other book on 141).	Kneisell, B.	1327 Chouteau avenue.
138.	Stevenson, R.	816½ South Fourteenth street.

Number.	Names.	Addresses.
139.....	Werwaski, S.....	1405 Chouteau avenue.
140.....	Ganter, C. K.....	911 South Tenth street.
141.....	Kneisel, B.....	132 Chouteau avenue.
142.....	Khein, Henry; one book only	1211 Chouteau avenue.
142.....	Eischlager, H.....	1209 Chouteau avenue.
143.....	Duggan, M. A.....	1237 Chouteau avenue.
144.....	Bonner, Henry.....	901 South Tenth street.
145.....	Assman, Robt.....	912 Gratiot street.
146.....	Herman, John.....	1313 Chouteau avenue.
147.....	Schrieweiss, J.....	826 South Tenth street.
148.....	Baerr, Sig.....	833 South Ninth street.
149.....	Esky, Conrad C.....	911 Chouteau avenue.
150.....	Klena, John.....	1215 Chouteau avenue.
151.....	McDermott, P.....	802 South Tenth street.
152.....	Anderson, Henry.....	918 Gratiot street.
153.....	Clinton, Thomas.....	902 Gratiot street.
154.....	Long, Robt.....	902 Gratiot street.
155.....	Burke, James.....	912 Gratiot street.
156.....	Cook, Alex.....	912 Gratiot street.
157.....	Grimley, James.....	912 Gratiot street.
158.....	Annan, Thos.....	912 Gratiot street.
159.....	Apple, Henry (91).....	912 Gratiot street.
160.....	Armstrong, R.....	912 Gratiot street.
161.....	Anderson, F., in other book, An- drew F.....	912 Gratiot street.
162 (in other book on 161).	Andrew, John.....	912 Gratiot street.
163.....	Anson, William.....	912 Gratiot street.
164.....	Griffin, James.....	912 Gratiot street.
165.....	Sheppard.....	914 Gratiot street.
166.....	Clark, Thomas.....	914 Gratiot street.
167.....	Crawford, James.....	914 Gratiot street.
168.....	Burke, Henry.....	914 Gratiot street.
169.....	Burke, Chas.....	914 Gratiot street.
170.....	Beyer, Ed.....	914 Gratiot street.
171.....	Becker, John.....	802 South Tenth street.
172.....	Forrest, Chas.....	802 South Tenth street.
173.....	Beek, John.....	802 South Tenth street.
174.....	Oswald, Wm.....	802 South Tenth street.
175.....	Connors, Thos.....	802 South Tenth street or 1000 Papin street.
176.....	Connors, Dan.....	1000 Papin street.
177.....	Cooper, John.....	1000 Papin street.
178.....	Kive, Ed.....	1000 Papin street.
179.....	Slack, Chas.....	1009 Chouteau avenue.
180.....	Sheridan, John.....	1009 Chouteau avenue.
181.....	Tice, Henry.....	100 Chouteau avenue.
182.....	Weber, John.....	109 Chouteau avenue.
183.....	Weber, Jos.....	1009 Chouteau avenue.
184.....	Will, Chas.....	1009 Chouteau avenue.
185.....	Will, Henry.....	1009 Chouteau avenue.
186.....	Hammer, R.....	1009 Chouteau avenue.

I now adjourn the taking of testimony for a recess from 5.45 p. m., December 31, until 7 p. m., December 31, 1902.

Seven o'clock p. m.

Q. Will you now resume reading from poll book, eighth precinct, Sixth Ward, at the point where you left off before the last adjournment?

Q. (By Mr. WALSH.) Have the books which you are asked to produce been in your possession during the interval since adjournment until this time?—A. No.

Q. Where have they been, if you know?—A. I do not know.

Q. To whom did you deliver them at the last adjournment?—A. This gentleman took them from the table here.

Q. Who is the gentleman you indicate?—A. W. D. Moore.

Q. Who is W. D. Moore?—A. That I don't know. I never met the gentleman until to-day. I don't know who he is any more than I see him before me now.

Q. (By Mr. KINZEY.) Do you know whether he is the notary taking this deposition?—A. I do not.

Number.	Name.	Address.
187.....	Grebb, John.....	1009 Chouteau avenue.
188.....	O'Connell, John.....	1009 Chouteau avenue.
189.....	Bassett, James.....	1529 Chouteau avenue.
190.....	Peters, John.....	1329 Chouteau avenue.
191.....	White, Thomas.....	1329 Chouteau avenue.

Number.	Name.	Address.
192	Beard, D	1329 Chouteau avenue.
193	Biddle, John	1329 Chouteau avenue.
194	Sutter, Otto	1441 Chouteau avenue.
195	Silver, P	1441 Chouteau avenue.
196	Starr, Chas	1441 Chouteau avenue.
197	Spencer, Henry	1441 Chouteau avenue.
198	Bryan, John	1441 Chouteau avenue.
199	Russell, Thomas	1441 Chouteau avenue.
200	Pohl, Her	1018 Papin street.
201	Nickles, John	1018 Papin street.
202	Speed, Joseph	1018 Papin street.
203	Stewart, Geo	1018 Papin street.
204	Slater, Frank	1018 Papin street.
205	Six, William	1018 Papin street.
206	Connors, John	914 South Fourteenth street.
207	Cobb, Robert	914 South Fourteenth street.
208	Kelly, James	914 South Fourteenth street.
209	Morgan, John	914 South Fourteenth street.
210	Mack, John	914 South Fourteenth street.
211	Mills, Geo	914 South Fourteenth street.
212	O'Neil, J. E.	914 South Fourteenth street.
213	Smith, James	914 South Fourteenth street.
214	Sullivan, G. B	914 South Fourteenth street.
215	Page, William	926 South Fourteenth street.
216	Ryan, Thomas	926 South Fourteenth street.
217	Regan, P	926 South Fourteenth street.
218	Gibson, J	926 South Fourteenth street.
219	Greer, Alb.	926 South Fourteenth street.
220	Hill, Jesse	926 South Fourteenth street.
221	Grady, John	926 South Fourteenth street.
222	Jackson, Geo	926 South Fourteenth street.
223	Gibson, Joseph	926 South Fourteenth street.
224	Hogan, James	926 South Fourteenth street.
225	Simmons, John	924 South Fourteenth street.
226	Taylor, Thomas	924 South Fourteenth street.
227	Soper, F	924 South Fourteenth street.
228	Post, R	924 South Fourteenth street.
229	Powell, Chas	924 South Fourteenth street.
230	Parker, James	924 South Fourteenth street.
231	Stock, John	924 South Fourteenth street.
232	Sullivan, Robert	924 South Fourteenth street.
233	Green, John	1400 Papin street.
234	Davis, A	1400 Papin street.
235	Collins, James	1400 Papin street.
236	Decker, August	1400 Papin street.
237	Dillon, P	1400 Papin street.
238	O'Donnell, J. S	1400 Papin street.
239	Reed, William	1113 Chouteau avenue.
240	Marlow, John	1113 Chouteau avenue.
241	Niel, Henry	1113 Chouteau avenue.
242	Lowell, Chas.	1113 Chouteau avenue.
243	White, John	1113 Chouteau avenue.
244	Scharding, Chas	1113 Chouteau avenue.
245	Becker, L	1028 Papin street.
246	Becker, P	1028 Papin street.
247	Case, D.	1028 Papin street.
248	Conway, Jas. or Jno	1028 Papin street.
249	Duncan, Dan	1421 Chouteau avenue.
250	Cohen, L	1421 Chouteau avenue.
251	Barber, Hy	1421 Chouteau avenue.
252	Naber, F	1421 Chouteau avenue.
253	Smith, Frank	1421 Chouteau avenue.
254	Noonan, M	1421 Chouteau avenue.
255	Bayer, Aug	1421 Chouteau avenue.
256	Fee, John	1457 Chouteau avenue.
257	Nagel, Her	1457 Chouteau avenue.
258	Noonan, Dan	1457 Chouteau avenue.
259	Norton, Jos	1211 Chouteau avenue.
260	Malone, James	1211 Chouteau avenue.
261	Lane, Thos.	1211 Chouteau avenue.
262	Lyon, Chas.	1211 Chouteau avenue.
263	Bond, A. T.	1215 Chouteau avenue.
264	Black, Geo.	1215 Chouteau avenue.
265	Dalton, Jno	1215 Chouteau avenue.
266	Egan, John	1215 Chouteau avenue.
267	Dodge, Chas	1215 Chouteau avenue.
268	Baggott, Chas. or Jno.	1215 Chouteau avenue.
269	Halpin, James	1215 Chouteau avenue.
270	Knapp, H	1403 Chouteau avenue.
271	Tobin, Jno.	1403 Chouteau avenue.
272	McCarthy, W. P	1403 Chouteau avenue.
273	Carroll, P	1403 Chouteau avenue.

NOTE.—In the other book, beginning with No. 249 and ending with No. 255, the address is given as 1421A Chouteau avenue.

Number.	Name.	Address.
274	Barry, Jos.	1403 Chouteau avenue.
275	Waddell, James	1403 Chouteau avenue.
276	Whitsell, Jno	1311 Chouteau avenue.
277	Kane, Pat.	912 Gratiot street.
278	Devoto, Gus.	1455 Chouteau avenue.
279	Ross, Jas. A.	1441 Chouteau avenue.
280	Lensig, Wm. J.	1424 Papin street.
281	Unger, John M.	1227 Chouteau avenue.
282	Gersbacher, Jno	1205 Chouteau avenue.
283	Heisinger, Andy	913 South Eleventh street.
284	Hazlett, Walter	1438 Papin street.
285	McCulley, John M., jr	1507 Chouteau avenue.
286	Murphy, Ed.	1536 Papin street.
287	Sheehan, Wm. J.	1455 Chouteau avenue.
288	Sibel, H. G.	1209 Chouteau avenue.
289	O'Donnell, S. F.	1400 Papin street.
290	Berney, Peter	1020 Papin street.
291	Muldoon, Michael	909 South Tenth street.
292	Dillenger, Jno.	1440 Papin street.
293	Johnson, Jas.	1406 Papin street.
294	Schubkegel, Hy.	1113 Chouteau avenue.
295	Gassing, Thos.	1421 Chouteau avenue.
296	Augermuehler, Herman	1201 Chouteau avenue.
297	Shine, T. F.	1321 Chouteau avenue.
298	McConnel, A.	1329 Chouteau avenue.
299	Lenz, Chas.	901 South Tenth street.
300	Huke, Herman	814 South Tenth street.
301	Grant, Marshall	1512 Papin street.
302	Golding, Thos.	912 Gratiot street.
303	Meehan, John	802 South Tenth street.
304	Maxwell, Tim	924 South Thirteenth street.
305	McConnell, L.	1428 Chouteau avenue.
306	Woods, Jos.	1329 Chouteau avenue.
307	Woods, Jno. J.	1529 Chouteau avenue.
308	Creedon, J. C.	825 South Ninth street.
309	Zurlein, Robert	907 South Ninth street.
310	Maysack, Wm. H.	912 South Tenth street.
311	Rogers, W. W.	908 South Tenth street.
312	Green, Harvey	910 South Tenth street.
313	King, Jas.	1009 Chouteau avenue.
314	Aliff, John	1416 Papin street.
315	O'Brien, Thos.	1020 Papin street.
316	Hoffman, Otto	817 South Tenth street.
317	Rightmeyer, Chas.	1008 Papin street.
318	Le'Blong	918 South Fourteenth street.
319	Roddy, Hugh	814 South Fourteenth street.
320	Collona, Jas.	919 South Fourteenth street.
321	Meehan, Jno.	802 South Tenth street.
322	Donovan, Thomas	913 South Eleventh street.
323	Creedon, C. J.	825 South Ninth street.
324	Claess, L. H.	911 South Eleventh street.
325	Rauch, J. F.	920 South Fourteenth street.
326	Mordorff, W. C.	1111 Chouteau avenue.
327	Hild, F. W.	912 South Tenth street.
328	Rogers, P.	1455 Chouteau avenue.
329	Foster, E. H.	911 South Ninth street.
330	Yeager, Wm.	1109A Chouteau.
331	Welsh, M.	1211 Chouteau avenue.
332	Barber, Joe	906 South Tenth street.
333	Toranjon, Joe	802 South Twelfth street.
334	Gailbraith, Wm.	1012 Papin street.
335	Hassett, Jos.	1432 Papin street.
336	Priest, Jno. G.	1003 Chouteau avenue.
337	Altenbernd, Hy.	916 Gratiot street.
338	Knapp, Ed.	1520 Papin street.
339	Duffy, H. J.	1501 Chouteau avenue.
340	Claess, Aug.	907 South Eleventh street.
341	Jones, John	1411 Chouteau avenue.
342	Moore, A. J.	1211 Chouteau avenue.
343	Tweedy, S. T.	1215 Chouteau avenue.
344	Cummings, Richard	1010 rear Papin street.
345	Buetter, Joe	1030 Papin street.
346	Stueterman, L. H.	902 South Tenth street.
347	Billups, Sam	816½ rear South Fourteenth street.
348	Clark, K.	1311 Chouteau avenue.
349	Ellsworth, Geo. (other book, Ellsworthy	912 Gratiot street.
350	Callahan, Thos.	825 South Ninth street.
351	O'Grady, Jas.	1410 Papin street.
352 (other book, line 353).	Jansen, Harry	1008 Papin street.
353 (other book, 352)	O'Rourke, B.	914 or 912 Gratiot street.
354	Fogel, Peter.	1231 Chouteau avenue.
355	Morrissey, P.	1307 Chouteau avenue.
356	Barber, Toney	906 South Tenth street.
357	Anderson, D. P.	909 South Ninth street.

Number.	Name.	Address.
358.....	Sheppherd, R. J.....	1209 Chouteau avenue.
359.....	Huber, C. A.....	833 South Ninth street.
360.....	McConnell, Wm.....	1329 Chouteau avenue.
361.....	Irwin, N.....	923 Chouteau avenue.
362.....	Locke, Geo.....	908 Gratiot street.
363.....	Schuekle, Geo.....	1239 Chouteau avenue.
364.....	Taylor, F.....	1211 Chouteau avenue.
365.....	Maysack, W., jr.....	912 South Tenth street.
366.....	Gerkin, Hy. W.....	832 South Fourteenth street.
367.....	Johnson, Joe.....	908 Gratiot street.
368.....	Hoffman, Wm.....	908 South Tenth street.
369.....	Hoffman, Hy.....	908 South Tenth street.
370.....	Sweeney, J.....	1019 Papin street.
371.....	O'Connell, T.....	1426 Papin street.

Q. Mr. Kinsey, turn to the certificate of the judges and clerks and read therefrom number of votes certified to have been received by the several candidates for Congress, Twelfth Congressional district, for the short term.—A. James J. Butler received 339 votes; George C. R. Wagoner received 32 votes.

Q. State if the four judges and two clerks have signed this certificate.—A. They have.

Q. Will you now produce the poll books used in precinct 9 of the Fifteenth Ward at the election held November 4, 1902, city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1 and continuing in consecutive order?—A. Yes.

Number.	Name.	Address.
1.....	Cash, Jno. A.....	2110 Franklin avenue.
2.....	Rudge, Geo.....	2018 Carr street.
3.....	Bell, Anderson.....	2103 Franklin avenue.
4.....	Steinberger, Geo.....	2005 Wash street.
5.....	Fred. Hertline.....	2007 Franklin avenue.
6.....	Frank, A. Heuser.....	2027 Wash street.
7.....	Eubanks, Arthur.....	2009 Franklin avenue.
8.....	Rueben Lawrence.....	2037 Wash street.
9.....	William Buckley.....	2105 Franklin avenue.
10.....	B. J. Woods.....	2115 Wash street.
11.....	Jos. Fritz.....	2023 Franklin avenue.
12.....	John L. Gibbin.....	2010 Wash street.
13.....	Wm. McGuire.....	2039 Wash street.
14.....	Wm. Lagerholm; other book, Dori- man W.....	2018½ Wash street.
15.....	Andrew Kettering; other book, An- drew C.....	2018½ Wash street.
16.....	Edward C. Dassler.....	923 North Twentieth street.
17.....	Wm. Regh; other book, Wm. E.....	2118 Franklin avenue.
18.....	J. H. Burke.....	2018 Wash street.
19.....	W. H. Cook.....	922A North Twenty-second street.
20.....	F. J. Merke.....	2114 Wash street.
21.....	C. W. Rosenbeech.....	2037 Wash street.
22.....	M. J. Addis.....	1009 North Twentieth street.
23.....	Louis Alewell.....	2002 Wash street.
24.....	John Hillman.....	2025 Wash street.
25.....	F. S. Guenand.....	2112½ Carr.
26.....	G. W. Hendricks.....	2024 Carr street.
27.....	Jos. Murphy.....	2019 Wash street.
28.....	Ike Rovitsky.....	2025 Wash street.
29.....	E. W. Edison.....	2129A Wash street.
30.....	Wm. Kampmeiert.....	2020½ Carr street.
31.....	John R. Hawkins.....	2109½ Wash street.
32.....	Geo. Kossuth.....	2021A Wash street.
33.....	M. J. Brady.....	2007 Wash street.
34.....	G. W. Ogelsby.....	2019 Franklin avenue.
35.....	William Weathers; other book, Will- er N. Weathers.....	926 North Twenty-second street.
36.....	J. W. McCormack.....	2137 Franklin street.
37.....	Jeremiah Reardon.....	1009 North Twentieth street.
38.....	John Strobl.....	1009 North Twentieth street.
39.....	T. R. Obriest.....	2021 Wash street.
40.....	Nichols H. Griffin.....	1009 North Twentieth street.
41.....	Robt. Woods.....	2002 Carr street.
42.....	Chas. Boehn; other book, Roehn.....	2015 Franklin avenue.
43.....	J. A. Warden.....	2128 Carr street.
44.....	John Dooley.....	2102 Carr street.
45.....	Morris Weinberg.....	2118 Franklin avenue.
46.....	Mike Lenten.....	2121 Wash street.

Number.	Name.	Address.
47.	Fred G. Kloker	2131 Morgan street.
48.	John F. Harrigan	2124 Wash street.
49.	Wm. J. Campbell	2113 Wash street.
50.	Joe Backhoff	2109½ Wash street.
51.	Fred. Kreiling; other book, Kreyling.	2119 Wash street.
52.	Eugene Mullen	2023 Franklin avenue.
53.	Joe Hosty	2023 Franklin avenue.
54.	John Guerly	2126 Carr street.
55.	Theo'd Hines	2018 Wash street.
56.	Jeff Covington	908 North Twenty-first street.
57.	John J. Lane	2100 Franklin avenue.
58.	Jas. Johnson	2020 Wash street.
59.	Thos. S. Jordan	2025 Franklin avenue.
60.	Jos. S. Steadman	2105 Franklin avenue.
61.	Wm. Murphy	2106 Carr street.
62.	Jas. McLaughlin	2018½ Wash street.
63.	Chas. J. Read	2109½ Wash street.
64.	W. E. Hoffman	2030 Wash street.
65.	Chris Eckhardt	2030 Carr street.
66.	Fred Eckhardt	2030 Carr street.
67.	Wm. Jones	2011 Franklin avenue.
68.	John Homing	2030 Wash street.
69.	Chas. Homing	2030 Wash street.
70.	Mike Phelan	2130 Carr street.
71.	John Kirm	822 North Twenty-second street.
72.	John H. Nenninger	2110½ Wash street.
73.	Fred Peters	2006 Wash street.
74.	Taylor Pitts	2028 Carr street.
75.	Edward Born	2033 Wash street.
76.	Herman Kuntz	2101 Franklin avenue.
77.	Jas. Green	2135 Wash street.
78.	Thos. P. Kelly	2138 Carr street.
79.	Bruno Miesser	2101 Franklin avenue.
80.	Chas. Lange	1011 North Twentieth street.
81.	Jacob Weigel	928 North Twenty-second street.
82.	Hamilton Ross	2105 Franklin avenue.
83.	Leonard J. Ruemmler	2113 Franklin avenue.
84.	James Murray	2029 Wash street.
85.	Max Zeigenbein	2101 Wash street.
86.	Jas. Holmes	2120 Wash street.
87.	Peter O'Hara	2110½ Wash street.
88.	E. B. Strauss	2114 Franklin avenue.
89.	A. Bohmer	2114 Franklin avenue.
90.	Geo. Reiber	2138 Carr street
91.	James C. Clark	2119 Wash street.
92.	Herman T. Reitz	2025 Wash street.
93.	John Ryan	2110 Franklin avenue.
94.	Geo. A. Reitz	2025 Wash street.
95.	John Henry	2121 Wash street.
96.	Chris Doran	2105 Franklin avenue.
97.	Chas. F. Betts, other book Betz	2125 Morgan street or 2129 Franklin avenue.
98.	M. C. Grace	2131A Wash street.
99.	F. J. McGrath	2112 Wash street.
100.	Sol Batavia	924 North Twenty-second street.
101.	S. G. Smith	2000 Carr street.
102.	C. G. Meihe	2009 Franklin avenue.
103.	Jas. C. Sampson	924 North Twenty-second street.
104.	C. Healey	2023 Wash street.
105.	A. G. Bosse	2028 Wash street.
106.	G. A. McCormack	2123 Wash street.
107.	Wm. McCormack	2123 Wash street.
108.	Lewis Lenten	2121 Wash street.
109.	John Kelleher	2031 Franklin avenue.
110.	Walter Piepfer; other book Phifter, sr.	2115 Morgan street.
111.	Chas. Bogardis	2025 Franklin avenue.
112.	John Addis	920 North Twenty-second street.
113.	Anderson Sherman	2010 Carr street.
114.	Wm. Kinsella	1025 North Twenty-first-o.
115.	Patrick Nagle	915 North Twenty-first-o2.
116.	Wm. LaPoint	2130 Wash street.
117.	Geo. R. Davis	2124 Franklin avenue.
118.	Tom Lawless	2124 Franklin avenue.
119.	John R. Dwoning	2028 Wash street.
120.	Thos. Ryan	2108 Carr street.
121.	Henry Alewel	2002 Wash street.
122.	F. W. Kampminer	2020½ Carr street.
123.	Wm. Elder	2002 Carr street.
124.	John Lawless	2126 Franklin avenue.
125.	Thos. McCormack	2137 Franklin avenue.
126.	Wm. T. Jordan	2035 Franklin avenue.
127.	Jas. Hynes	1019 North Twenty-first street.
128.	Peter Mullen	2126 Franklin avenue.

I now adjourn the taking of evidence at 11.05 p. m., December 31, 1902, until 9 a. m., January 2, 1903, to be continued at same place.

I now resume the taking of testimony at 9.30 a. m., January 2, 1903, pursuant to adjournment. Please proceed with the reading of numbers, names, and addresses from No. 1 the following books from precinct 9, Ward 15.

Number.	Name.	Address.
129.....	A. Hilty	2016 Carr street.
130.....	August Wesley	2011 Wash street.
131.....	Charles Bauer	2119 Franklin avenue.
132.....	John Bolan	2109 Franklin avenue.
133.....	Arthur Donnley	2037 Wash street.
134.....	George Malcom	2005 Wash street.
135.....	Joe Huckert	1010 North Twenty-first street.
136.....	A. Dickson	2026 Carr street.
137.....	John Helman	2019 Franklin avenue.
138.....	Anthony or Andy Moran	2029 Wash street.
139.....	John P. Walsh	2115 Wash street.
140.....	George Moffitt or Maffitt	2020 Wash street.
141.....	T. V. McCormack	2137 Franklin avenue.
142.....	W. Jacob Martini	2033½ Franklin avenue.
143.....	J. Trojanowski	2022 Wash street.
144.....	Peter Werdes	2026 Wash street.
145.....	Herman Mueller	2115 Franklin avenue.
146.....	Jos. Wiles	2014 Wash street.
147.....	Sam W. Shannon	2103 Franklin avenue.
148.....	Mike Alge	2100 Carr street.
149.....	J. H. Busby	2136 Carr street.
150.....	Martin Lawless	2017 Wash street.
151.....	Norris Wood	2026 Carr street.
152.....	Albert Ruehing	824 North Twenty-second street.
153.....	James K. Grace	2013 Franklin avenue.
154.....	George Haigler	2013 Franklin avenue.
155.....	Ed S. Hoppie	2013 Franklin avenue.
156.....	John Ware	2013 Franklin avenue.
157.....	Thomas Diggs	2013 Franklin avenue.
158.....	James Alexander	2013 Franklin avenue.
159.....	Frank Patterson	2013 Franklin avenue.
160.....	Charles Peterson	2013 Franklin avenue.
161.....	William Allens	2113 Wash street.
162.....	Mike Casey	2113 Wash street.
163.....	Mike Regan	2013 Franklin avenue.
164.....	Thomas Rogan	2113 Franklin avenue.
165.....	Phill Allen	2019 Franklin avenue.
166.....	John O'Brien	905 North Twentieth street.
167.....	George Dawson	905 North Twentieth street.
168.....	John Dunn	905 North Twentieth street.
169.....	Charles Casey	905 North Twentieth street.
170.....	James Pane	905 North Twentieth street.
171.....	William Brown	2019 Franklin avenue.
172.....	James Caldwell	2013 Franklin avenue.
173.....	John Boggs	2113 Wash street.
174.....	E. K. Widkin	905 North Twentieth street.
175.....	Arthur Janeson	2013 Franklin avenue.
176.....	Thomas Parker	2013 Franklin avenue.
177.....	J. H. Gamble	2019 Franklin avenue.
178.....	Frank J. Casey	2019 Franklin avenue.
179.....	James Boone	2113 Wash street.
180.....	Harry Hyer	2115 Wash street.
181.....	John P. Walsh	2115 Wash street.
182.....	David Rice	2004 Wash street.
183.....	Jeff Madison	2004 Wash street.
184.....	Charles Atwood	2113 Wash street.
185.....	Joe Schiller	2019 Franklin avenue.
186.....	Charles Franklin	2004 Carr street.
187.....	Jeff Gillman	2006 Carr street.
188.....	Ed Long	2008 Carr street.
189.....	Richard Coleman	2010 Carr street.
190.....	Charles Dempsey	2113 Wash street.
191.....	William Hoffman	2010 Carr street.
192.....	John Briggs	2113 Wash street.
193.....	Fred Erwin	2013 Franklin avenue.
194.....	Ed Ryan	2013 Franklin avenue.
195.....	John Helman	2019 Franklin avenue.
196.....	George Oblesby	2019 Franklin avenue.
197.....	A. Sherman	2010 Carr street.
198.....	William Waters	2010 Carr street.
199.....	Henry Lang	2019 Franklin avenue.
200.....	Peter Thurston	2010 Carr street.
201.....	Charles H. Phillips	2019 Franklin avenue.
202.....	James Hayes, or Mayes	2019 Franklin avenue.
203.....	N. Patterson	2010 Carr street.
204.....	Joe Johnson	2006 Carr street.
205.....	Charles Franklin	2004 Carr street.

Number.	Name.	Address.
206.	Ed Ryan	2013 Franklin avenue.
207.	Charles Halpin	2013 Franklin avenue.
208.	Tom Ennis	2008 Carr street.
209.	James Jackson	210 Carr street.
210.	F. H. Smith	2008 Carr street.
211.	James Garden	2013 Franklin avenue.
212.	John Lawrence	2013 Franklin avenue.
213.	Albert James	2010 Carr street.
214.	Fred Edwards	2013 Franklin avenue.
215.	James Hadley	2037 Franklin avenue.
216.	George Nichols	2006 Carr street.
217.	John Conroy	2037 Franklin avenue.
218.	James Paris	2010 Carr street.
219.	William Lane	2010 Carr street.
220.	James Meyers	2037 Franklin avenue.
221.	William Buckley	2037 Franklin avenue.
222.	George Fadden	2010 Carr street.
223.	John Buckley	2037 Franklin avenue.
224.	Ed. Reynolds	2010 Carr street.
225.	Frank Hardy	2037 Franklin avenue.
226.	William Hines	2037 Franklin avenue.
227.	Joe Nash	2012 Carr street.
228.	W. J. Ada	1009 Carr street.
229.	Dan F. Loughlin	1009 North Twentieth street.
230.	Alex. La Bade	2010 Carr street.
231.	Enoch Booler	2010 Carr street.
232.	John Ellison	2008 Carr street.
233.	John Klug	2006 Carr street.
234.	J. G. Loughlin	1009 North Twentieth street.
235.	Walter F. McNichols	1009 North Twentieth street.
236.	William B. Reynolds	2010 Carr street.
237.	Rich. Terrell	2010 Carr street.
238.	Mike Ryan	1007 North Twentieth street.
239.	Jeremiah Mullen	1011 North Twentieth street.
240.	James Brown	1011 North Twentieth street.
241.	George Maloney	1009 North Twentieth street.
242.	Henry George	2006 Carr street.
243.	Sam Owen	2006 Carr street.
244.	Henry Heffernan	1011 North Twentieth street.
245.	James Walker	1011 North Twentieth street.
246.	John Strube	1009 North Twentieth street.
247.	Joe Whalen	1009 North Twentieth street.
248.	Matt Williams	2010 Carr street.
249.	Peter Clarke	2008 Carr street.
250.	Thomas Jefferson	2006 Carr street.
251.	George James	2004 Carr street.
252.	Charles Johnson	2004 Carr street.
253.	Anton Stevenson	2125 Wash street.
254.	E. Tingstrom	2005 Franklin avenue.
255.	L. Ashman	930 North Twenty-second street.
256.	James Ennis	2106 Carr street.
257.	Ambrose Miller	2127 Wash street.
258.	William Gurney	2025 Franklin avenue.
259.	G. Tortina	918 North Twenty-second street.
260.	A. G. Meninger	2110 Wash street.
261.	William Cullinane	2033 Franklin avenue.
262.	George A. Craft	2001 Wash street.
263.	Fred Emerson	2009 Wash street.
264.	M. S. Doughett	2100 Franklin avenue.
265.	John R. Sullivan	2122 Franklin avenue.
266.	George P. Woodin	2104 Franklin avenue.
267.	Henry Spangler	2006 Wash street.
268.	William Healey	2023 Wash street.
269.	Frank Pinnell	2003 Wash street.
270.	Edward Gibbon	2010 Wash street.
271.	Lewis Hoffman	2116 Wash street.
272.	James H. Burke	2136 Franklin avenue.
273.	Joe Kraine	2007 Wash street.
274.	Frank Wherle or Wehrle	2022 Wash street.
275.	R. H. Mueller	926 North Twenty-second street.
276.	J. S. Bunting	2126 Wash street.
277.	Alex. Ruemler; in other book, E. Ruemmler.	2113 Franklin avenue.
278.	Wm. L. Newbanks	2009 Franklin avenue.
279.	D. Jones	2127 Franklin avenue.
280.	Alex. Ricking	824 North Twenty-second street.
281.	S. E. Siler	2020 Wash street.

Q. (By Mr. KINSEY.) We will now turn to the certificate of the judges and clerks on these poll books and read therefrom the number of votes cast for each candidate for Congress in the Twelfth district for the short term.—A. James J. Butler received 186 votes; George Wagoner, 87 votes; Henry A. Artz received no votes.

Q. Are these poll books signed by the four judges and two clerks?—A. Yes.

Q. Will you now produce poll books for the tenth precinct of the Fifth Ward and read from them the numbers, names, and places of residence of the voters contained therein consecutively from No. 1 to the end thereof?—A. Yes.

PRECINCT 10, WARD NO. 5.

Number.	Name.	Address.
1.....	Loser, Robert F.....	1424 Poplar street.
2.....	Keane, George.....	1416 Belmont street.
3.....	Parker, Jos.....	1211 Poplar street.
4.....	Scott, Stark.....	1230½ Spruce street.
5.....	Sullivan, Makay.....	418 South Sixteenth street.
6.....	Smith, Henry J.....	422 South Sixteenth street.
7.....	Phillip, A.....	1223 Poplar street.
8.....	Reynolds, Ed.....	402 South Sixteenth street.
9.....	Jenkins, J. H.....	434 South Fourteenth street.
10.....	Seymour, J. M.....	322A South Fifteenth street.
11.....	Bivins, Caleb.....	1416 Poplar street.
12.....	Farmer, Fred.....	312 South Fifteenth street.
13.....	Funch, Albert J.....	400 South Fourteenth street.
14.....	Finnerty, E. A., jr.....	416 South Sixteenth street.
15.....	Finnerty, Gus W.....	416 South Sixteenth street.
16.....	Kennedy, John.....	403 South Fifteenth street.
17.....	Rerrnoud, Christ.....	401 South Fifteenth street.
18.....	Sadler, Burley J.....	1231 Poplar street.
19.....	Thornton, John J.....	404 South Fourteenth street.
20.....	Taylor, Alex. J.....	1230 Spruce.
21.....	Brown, Simon.....	1230½ Spruce street.
22.....	Meany, Wm. A.....	1238 Spruce street.
23.....	Brennan, A. E.....	1416 Clark avenue.
24.....	Chalcraft, Thomas.....	415 South Fourteenth street.
25.....	Caughlin, Henry J.....	1412 Clark avenue or 1410 Clark.
26.....	Strausser, George.....	1428 Poplar street.
27.....	Newton, Charles A.....	438 South Fourteenth street.
28.....	Smith, Deb.....	405 South Fourteenth street.
29.....	Reynolds, Alex.....	402 South Fifteenth street.
30.....	Kreps.....	329 South Fourteenth street.
31.....	Barret, Patrick.....	1514 Spruce street.
32.....	Orchard, James.....	1404 Clark avenue.
33.....	Freeman, Cyrus, jr.....	1313 Poplar street.
34.....	Kenosha, George.....	445 South Fifteenth street.
35.....	McCarty, Peter D.....	411 South Fifteenth street.
36.....	Thierauf, Wm. L.....	423 South Fourteenth street.
37.....	Hennesey, Bart.....	1125 Spruce.
38.....	Reynolds, Isaac.....	402 South Fifteenth street.
39.....	Reinert, Henry W.....	1404 Clark avenue.
40.....	Larkin, Michael J.....	423 South Fifteenth street.
41.....	Lower, Michael.....	1404 Clark avenue.
42.....	G'Donnell, John F.....	1214 Spruce street.
43.....	Kennedy, James.....	403 South Fifteenth street.
44.....	Hannigan, Peter.....	421 South Fourteenth street.
45.....	Brooks, Harrison, jr.....	1411 Poplar street.
46.....	O'Connor, Tim.....	416 South Sixteenth street.
47.....	Stubbs, Jerry.....	1406 Poplar street.
48.....	Dirks, Dietrich.....	101 South Fourteenth street.
49.....	Brazenton, James.....	409 South Fifteenth street.
50.....	Finnerty, Ed. A., sr.....	416 South Sixteenth street.
51.....	Murray, Richard F.....	305 South Fourteenth street.
52.....	Hussey, Robt.....	1208 Spruce.
53.....	Levy, Herman.....	329 South Fourteenth street.
54.....	Williams, Noble A.....	1235 Poplar street.
55.....	Pepper, Harvey A.....	417 South Fourteenth street.
56.....	Perckind, Mac.....	1225 Poplar street.
57.....	Armstrong, Charles F.....	1428 Poplar street.
58.....	Farley, Wm. F.....	1410 Clark avenue.
59.....	Harvey, I. G.....	1116 Poplar street.
60.....	Hart, Pompey.....	312 South Fifteenth street.
61.....	Farley, Jos.....	1324 Spruce street.
62.....	Keitt, Ed. C.....	405 South Twelfth street.
63.....	Casey, Peter.....	421 South Fifteenth street.
64.....	Hennesey, Michael.....	1425 Spruce street.
65.....	Byrnes, James A.....	1228 Spruce street.
66.....	Jones, Henry E.....	1221 Poplar street.
67.....	Brockman, W. T.....	1422 Poplar street.
68.....	Lower, A. A.....	406 South Fourteenth street.
69.....	Guilford, John C.....	1418 Clark.
70.....	McGee, Owen.....	411 South Fifteenth street.
71.....	Kennedy, John J.....	405 South Fifteenth street.
72.....	Wimer, Arthur D.....	1406 Clark avenue.
73.....	Kennedy, Phillip.....	405 South Fourteenth street; 403 South Fourteenth street.
74.....	Thornton, James F., jr.....	401 South Fourteenth street.
75.....	Burke, Burton E.....	321 South Fifteenth street.
76.....	Gearin, Anderson F.....	1410 Poplar street.

PRECINCT 10, WARD NO. 5—Continued.

Number.	Name.	Address.
77.....	Usher, Thomas.....	412 South Fourteenth street.
78.....	Durney, John J.....	420 South Fourteenth street.
79.....	Perkins, James Wm.....	1225 Poplar street.
80.....	Rafferty, Pete.....	409 South Fifteenth street.
81.....	Dunn, James.....	421 South Fourteenth street.
82.....	McGrath, Thomas J.....	409 South Fifteenth street.
83.....	Freland, George.....	1427 Spruce street.
84.....	Curtin, Stephen.....	417 South Fifteenth street.
85.....	Larkin, Wm.....	415 South Fifteenth street.
86.....	Dullo, Charles.....	1400 Clark avenue.
87.....	Conroy, Thomas.....	428 South Fifteenth street.
88.....	Breckenbach, Geo.....	319 South Fourteenth street.
89.....	Jemmerer, Ed.....	413 South Twelfth street.
90.....	Freeland, James F.....	1127 Spruce street.
91.....	McCormack, Thomas.....	1228 Spruce street.
92.....	Kreps, George.....	329 South Fourteenth street.
93.....	Dwyer, Wm.....	329 South Fourteenth street.
94.....	Millet, Thomas.....	409 South Fifteenth street.
95.....	Knapmier, Henry; in other book Knapmier, Henry.....	401 South Fourteenth street.
96.....	Redd, T. P.....	402 South Fourteenth street.
97.....	Anderson, Harry E.....	1418 Clarke avenue.
98.....	Hyde, E.....	411 South Fourteenth street.
99.....	Thomason, J. H.....	410 South Fifteenth street.
100.....	Campbell, Thomas.....	1436 Poplar street.
101.....	Taylor, John.....	1303 Poplar street.
102.....	Talbott, G. M.....	1231 Poplar street.
103.....	Mayo, James S.....	438 South Fourteenth street.
104.....	Rishoff, Jacob.....	320 Spruce street.
105.....	Lauffman, Daniel.....	1422 Poplar street.
106.....	Long, W. C.....	1314 Spruce street.
107.....	Kenosha, Bernard.....	415 South Fifteenth street.
108.....	O'Brien, Tim.....	1238 Spruce street.
109.....	Breigel, Louis.....	1320 Spruce street.
110.....	Bischoff, Louis J.....	1320 Spruce street.
111.....	Stewart, B. W.....	1514 Clarke avenue.
112.....	Parker, John W.....	1510 Poplar street.
113.....	Hendrick, John.....	422 South Sixteenth street.
114.....	Ellis, Wm.....	417 South Twelfth street.
115.....	Hendricks, John Wm.....	422 South Sixteenth street.
116.....	Lawliss, Thomas.....	1314 Spruce street.
117.....	Terrell, Michael.....	423 South Fourteenth street.
118.....	Clarke, John.....	1314 Spruce or 1214 Spruce street.
119.....	Wimer, John M.....	1406 Clarke avenue.
120.....	Northman, Louis W.....	426 South Sixteenth street.

I now adjourn the taking of evidence at 1 p. m. January 2, 1903, until 2 p. m. January 2, 1903.

I now resume the taking of evidence at 2.15 p. m. January 2, 1903, pursuant to adjournment, having received the poll books from the appointed custodian, Mr. Moore, and continue reading from the same poll books, tenth precinct, Fifth Ward.

Q. Have you the poll books received before recess?—A. Yes.

Number.	Name.	Address.
121.....	Birdsell, C. W.....	321 South Fifteenth street.
122.....	Usher, John M.....	412 South Fourteenth street.
123.....	Names, Hiram R.....	409 South Fourteenth street.
124.....	Frazer, Robt. E.....	1424 Poplar street.
125.....	Neckerman, Fred A. C.....	329 South Fourteenth street.
126.....	Fries, Albert E.....	1415 Spruce street.
127.....	Meyers, George H.....	415 South Fourteenth street.
128.....	Perkins, David.....	1225 Poplar street.
129.....	Corbett, John.....	409 South Fifteenth street.
130.....	Mitchell, W. W.....	409 South Twelfth street.
131.....	Ward, Thomas J.....	423 South Fifteenth street.
132.....	Mitchell, Marcus.....	409 South Twelfth street.
133.....	Doyle, David.....	1236 Spruce street.
134.....	Hayes, John.....	411 South Fifteenth street.
135.....	Bishop, Henry.....	1206 Spruce street.
136.....	Jakel, Louis J.....	1314 Spruce street.
137.....	Casey, Louis.....	1337 Poplar street.
138.....	Wrienecke, Joseph.....	1427 Spruce street.
139.....	Spencer, George M.....	1210 Spruce street.
140.....	Grady, Dan.....	1314 Spruce street.
141.....	Freeland, W. A.....	1127 Spruce street.
142.....	Xngent, George E.....	411 South Fifteenth street.
143.....	Ross, Wm. A., jr.....	1322 Spruce street.

Number.	Name.	Address
144.....	Tennyson, John.....	411 South Fifteenth street.
145.....	Dowling, Matt.....	411 South Fifteenth street.
146.....	Dowd, M.....	420 South Sixteenth street.
147.....	Woods, A.....	1415 Spruce street.
148.....	Reed, Wm.....	1228 Spruce street.
149.....	Murphy, Thomas.....	1512 Spruce street.
150.....	Brady, James T.....	1314 Spruce street.
151.....	Jakel, Ed.....	1314 Spruce street.
152.....	Usher, Wm. Leo.....	412 South Fourteenth or Fifteenth street.
153.....	Coughenor, L. N.....	1208 Spruce street.
154.....	Donnelly, Con.....	401 South Fourteenth street.
155.....	Thierauf, Robt. M.....	423 South Fourteenth street.
156.....	Bullo, August F.....	409 South Fourteenth or Fifteenth street.
157.....	Jakobiak, Frank S.....	407 South Fourteenth street.
158.....	Lewis, William E.....	1226 Spruce street.

Q. (By Mr. KINSEY.) Will you turn to the certificate of the judges and clerks attached to this poll book and read therefrom the number of votes certified to have been received by each candidate for Congress in the Twelfth Congressional district for the short term?—A. James J. Butler received 92 votes; George C. R. Wagoner received 53 votes.

Q. Are these two poll books signed by the four judges and two clerks?—A. Yes.

Q. Will you produce the poll books used in precinct 6 of the Thirteenth Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded in said books, beginning with No. 1 and continuing in consecutive order to and including the last name?—A. Yes.

PRECINCT 6, THIRTEENTH WARD.

Number.	Name.	Address.
1.....	McBriarty, B.....	2707 Rutger street.
2.....	Merget, F.....	2752 Chouteau avenue.
3.....	Stoecker, F. W.....	1108 Ohio avenue.
4.....	Kingsbury, F. B.....	2712 Chouteau avenue.
5.....	Wernkern, Jos.....	2752 Chouteau avenue.
6.....	Stewart, A. T. A.....	2655 Rutger street.
7.....	Schmidt, H.....	2739 Rutger street.
8.....	Nelson, H. P.....	2627 Rutger street.
9.....	Norman, J. B.....	2654 Chouteau avenue.
10.....	Wycoff, R., sr.....	2615 Rutger street.
11.....	Ryan, James.....	2638 Hickory street.
12.....	Schmidt, J. W.....	2626 Hickory street.
13.....	Hartmann, William, jr.....	2631 Rutger street.
14.....	Earley, D., jr.....	2621 Rutger street.
15.....	Earley, D., sr.....	2621 Rutger street.
16.....	Masebmidt, H. W.....	2754 Chouteau avenue.
17.....	Hazelhorst, John.....	1111 Ohio avenue.
18.....	Eyerluss, F. L.....	2729 LaSalle street.
19.....	Seiler, H.....	2764 LaSalle street.
20.....	Kieran, J. T. H.....	2715 Rutger street.
21.....	Norman, C. L.....	2651 Chouteau avenue.
22.....	Discher, H. L.....	2620 Hickory street.
23.....	Marsh, H. P.....	1107 South Jefferson avenue.
24.....	Quigley, James.....	2642 Chouteau avenue.
25.....	Yaeger, Ed.....	2733 LaSalle.
26.....	Burke, M.....	2737 LaSalle.
27.....	Dow, F. A.....	2759 Rutger street.
28.....	Collins, John.....	2658 Chouteau avenue.
29.....	Costello, J. T.....	2729 Hickory street.
30.....	Heilmann, F.....	2652 Chouteau avenue.
31.....	Meyer, J. D.....	2702 Hickory street.
32.....	Weyler, J. J.....	2732 Hickory street.
33.....	Slater, D.....	1105 Ohio avenue.
34.....	Toomey, M. V.....	2725A Hickory street.
35.....	Stein, Peter.....	2628 Hickory street.
36.....	Taylor, George P.....	2637A Rutger.
37.....	Schmidt, John.....	2737 LaSalle street.
38.....	Fitzgerald, E. J.....	2703 Hickory street.
39.....	Dalley, George E.....	2657 Rutger street.
40.....	Barrett, J. J.....	2612 Hickory street.
41.....	O'Brien, T.....	2623 Hickory street.
42.....	Kampelman, A. R.....	2619 R. Rutger street.
43.....	Morgner, J. B.....	2613 Rutger street.
44.....	Kane, C. E.....	2719 Hickory street.

PRECINCT 6, THIRTEENTH WARD—Continued.

Number.	Name.	Address.
45.	Siemer, C. J.	2718 Hickory street.
46.	McCauley, J. J.	2712 Hickory street.
47.	Toomey, T. F.	2725 Hickory street.
48.	Taylor, C. A.	2616 Hickory street.
49.	Stadler, C. A.	2729 Rutger street.
50.	Hertach, H.	2658 Chouteau avenue.
51.	Prendegast, M.	2640 Chouteau avenue.
52.	Schroeder, K.	2635 Rutger street.
53.	Gorgen, C.	2766 LaSalle street.
54.	Kingsbury, W. F.	2712 Chouteau avenue.
55.	Fields, M. F.	2757 LaSalle street.
56.	McBriarty, J. E.	2729 Hickory street.
57.	Banker, E. D.	2718 Chouteau avenue.
58.	Payne, J. W.	2734 Chouteau avenue.
59.	Maxwell, J. W.	2704 Hickory street.
60.	Geldmacher, Otto.	2632 Hickory street.
61.	Campbell, S.	2703 Rutger street.
62.	O'Brien, Owen.	2617 Rutger street.
63.	Porter, R.	2656 R. Hickory street.
64.	Hellman, P.	2656 Hickory street.
65.	Hartmann, Wm., sr.	2621 Rutger street.
66.	Sparrer, H.	1103 South Jefferson avenue.
67.	Luther, A.	1109 South Jefferson avenue.
68.	Schmidt, G. H.	2615 Hickory street.
69.	Kieran, P.	2715 Rutger street.
70.	Miller, A. F.	2641 Rutger street.
71.	Witman, John.	2641 Rutger street.
72.	Housmann, W. C.	2764A LaSalle street.
73.	Stellmacher, F.	1114 Ohio avenue.
74.	Collins, T.	2658 Chouteau avenue.
75.	Bickel, H. R.	2657 Rutger street.
76.	Rieckman, B.	2656 Chouteau avenue.
77.	Berri, F.	2716 Hickory street.
78.	O'Leary, D.	2705A Hickory street.
79.	Maschmidt, H.	2752 Chouteau avenue.
80.	Stellges, F.	2607 La Salle.
81.	Coubion, J. W. P.	2607 La Salle.
82.	Wycoff, O. C.	2615 Rutger street.
83.	Waters, P. H.	2758 Chouteau avenue.
84.	Wasson, T.	2632 Chouteau avenue.
85.	Comer, M. J.	2658 Chouteau avenue.
86.	Glasnier, George A.	2707 Rutger.
87.	Broscher, P. T.	2604A Chouteau avenue.
88.	Leidel, Al.	2708 Hickory.
89.	Singletry, J. P.	2734 Chouteau avenue.
90.	Mueller, F.	2753 La Salle street.
91.	Kieran, M. J.	2715 Rutger street.
92.	Reiss, G.	2633 Hickory street.
93.	Fitzpatrick, O.	2718 Chouteau avenue.
94.	Kilker, J. J.	2767 Hickory street.
95.	Werner, T.	2657 Hickory street.
96.	Masterson, T. F.	2730 Chouteau avenue.
97.	Maher, E.	2631 Hickory street.
98.	Kuhlman, H.	2600 Chouteau avenue.
99.	Sexton, John.	2711 Rutger street.
100.	Bergman, C. W.	2644 Chouteau avenue.
101.	Fox, A. N.	2701 Hickory street.
102.	McDowell, J. W.	2724 Hickory street.
103.	Chamberlain, W. B.	1007 Ohio avenue or 1007½ Ohio avenue.
104.	Schicker, John.	2755A La Salle street.
105.	Bachmann, A.	2643 Hickory street.
106.	Brain, E. M.	2611 Hickory street.
107.	Slater, W. L.	2635 La Salle.
108.	Allan, George.	2650 Chouteau avenue.
109.	Creed, C. M.	2635 La Salle street.
110.	Whithworth, E.	2612 La Salle.
111.	Miller, J. P.	2716 Chouteau avenue.
112.	Mackel, D. J.	2608 Hickory street.
113.	Matthews, John.	2609 Hickory street.
114.	Schlenker, L. H.	2709 Hickory street.
115.	Avenrich, H.	2614 Hickory street.
116.	Fenstel, Max.	2656 Hickory street.
117.	Mahoney, John.	2617 LaSalle street.
118.	McBriarty, Jos. F.	2613 Hickory street.
119.	Merk, H.	2766 Chouteau avenue.
120.	Stellgess, Ed.	2607 La Salle street.
121.	Crawford, F.	2617 Chouteau avenue.
122.	Nichols, F. L.	1107 South Jefferson avenue.
123.	Stretch, R.	2629 Hickory street.
124.	Niehaus, H. H.	2626 Hickory street.
125.	Kysar, George.	2645 Hickory street.
126.	Sunners, O.	2706 Chouteau avenue.
127.	O'Brian, P. J.	2658 Chouteau avenue.

PRECINCT 6, THIRTEENTH WARD—Continued.

Number.	Name.	Address.
128.	Mueller, C.	2733 Rutger street.
129.	Kline, F. W.	1113 South Jefferson avenue.
130.	O'Rourke, John	2730 Chouteau avenue.
131.	Cooke, B. T.	2760 Chouteau avenue.
132.	Ellis, J. D.	1105 Ohio avenue.
133.	Werthmueller, N.	2647 Hickory street.
134.	Forrest, M.	2642 Hickory street.
135.	Renick, H.	2605 Hickory.
136.	McKenny, W. S.	1113 South Jefferson avenue.
137.	Carl, L.	1108 Ohio avenue.
138.	Schuman, F.	2766 Chouteau avenue.
139.	Carr, J. M.	1105½ Ohio avenue.
140.	Wolter, M.	2656 Hickory street.
141.	Kuese, Wm.	2738 La Salle street.
142.	Neibert, R.	2600 Hickory street.
143.	Heitzman, C.	2609 Hickory.
144.	Schaeffer, F. J.	2601 La Salle.
145.	Brown, P. F.	2603 Hickory street.
146.	Schuler, J. C.	2762 Chouteau avenue.
147.	Ruest, C.	2766 Chouteau avenue.
148.	Stoecker, Al.	3739A Rutger street.
149.	Hoyer, F.	2643 Hickory street.
150.	Merrill, D. E.	2637 Hickory street.
151.	Kelly, M.	2730 Chouteau avenue.
152.	Weiss, L.	2650 Chouteau avenue.
153.	Kampelman, Ad.	2617 Rutger street.
154.	Maloney, M.	2707 Hickory street.
155.	Lohse, D. H.	2766 Chouteau avenue.
156.	Litzinger, O. H.	2726 Chouteau avenue.
157.	Reynolds, B. C.	2644 La Salle street.
158.	Kissinger, F.	2644A La Salle.
159.	Bocklemann, B.	2602 Chouteau avenue.
160.	Cahill, M.	2714R Chouteau avenue.
161.	Reuhmann, D. J.	2735 La Salle.
162.	Kurtz, C.	2604 Chouteau avenue.
163.	Connoly, J.	2635 La Salle.
164.	Leonard, F. G.	2765 Hickory street.
165.	Bugh, John	2625 Rutger street.
166.	Toomey, D.	2725 Hickory street.
167.	Baker, Wm.	2766 Chouteau avenue.
168.	Bockleman, H.	2602 Chouteau.
169.	Wortmann, T.	2738 La Salle.
170.	Anderson, S. S.	2760 Chouteau avenue.
171.	Barth, L.	2627 Rutger street.
172.	Schaffer, H. D.	2601 La Salle street.
173.	Beck, John T.	2601 Hickory.
174.	McBriarty, John	2613 Hickory.
175.	McBriarty, Joe	2707 Rutger.
176.	Smith, L. H.	2659 Hickory.
177.	Kohler, Ed S.	2659 Hickory.
178.	Schnorr, Ed	1014 Ohio.
179.	Nienkemper, L.	1014 Ohio avenue.
180.	Green, J. W.	2729 La Salle street.
181.	Ganey, T.	2645 Hickory street.
182.	Bartram, R. W.	2716 Hickory street.
183.	Norton, W.	2738 La Salle.
184.	Brueckner, F.	2604 La Salle street.
185.	Clarke, J. H.	1013 Ohio avenue.
186.	Owen, S. J.	2710 Hickory street.
187.	Gentner, S.	2647 Rutger.
188.	Guenther, A.	2764 Chouteau avenue.
189.	Biehl, L.	2705 Hickory street.
190.	Lorenz, W. F.	1109 Ohio avenue.
191.	Heinz, C. J.	2738A Hickory street.
192.	Bange, Gns.	2736 Chouteau avenue.
193.	Muller, Jean	2655 Rutger street.
194.	Moored, B.	1009 Ohio avenue.
195.	Pancitz, F. A.	2767A Hickory street.
196.	McGarvey, C.	1110 Ohio avenue.
197.	Schlapper, H.	2602 Chouteau avenue.
198.	Carey, John	2752 Chouteau avenue.
199.	Goodbody, Wm.	2702 Chouteau avenue.
200.	Stoecker, Rudolph	2739A Rutger street.
201.	Kimmich, John	2633 Hickory street.
202.	Humphrey, R. H.	2640 Chouteau avenue.
203.	Selanklin, B.	2731 Chouteau avenue.
204.	McCord, J.	2603 Hickory street.
205.	Hartmann, A.	2631A Hickory street.
206.	Kane, Harry	2719 Hickory street.
207.	Dierker, H. H.	2755 La Salle street.
208.	Green, L. H.	1009½ Ohio avenue.
209.	Eisengring, D. J., or Eisenring	2769A Hickory street.
210.	Weyler, J. P.	2732 Hickory street.

PRECINCT 6, THIRTEENTH WARD—Continued.

Number.	Name.	Address.
211	Fox, J. E.	2610R Chouteau avenue.
212	Schicker, J. L.	2755A La Salle street.
213	Herbert, C.	2621 Rutger street.
214	Housewright, R. W.	2642 LaSalle street.
215	Humphrey, William	2736 Hickory street.
216	Juengling, Con	2624 Hickory street.
217	Grasel, B.	2609 Hickory street.
218	Dauerheim, J. F.	1101 Ohio avenue.
219	Schmitt, F. A.	2703A Hickory street.
220	Green, George H.	2728 Chouteau avenue.
221	Calmer, Ed.	2620 Hickory street.
222	Poston, K. E.	2631 Chouteau avenue.
223	Peperson, Peter	2731A Chouteau avenue.
224	Cook, D. W. P.	2751 Chouteau avenue.
225	McBriarty, E. A.	2707 Rutger street.
226	Rogers, William	1013 Ohio avenue.
227	Friar, James L.	2712A Hickory street.
228	Fink, C. E.	2738 Hickory street.
229	Sidel, Max	2708 Hickory street.
230	Cox, James S.	2604 Hickory street.
231	Buckles, Douglass.	2764 Chouteau avenue.
232	Lindholtz, E.	2631 Chouteau avenue.
233	Fox, William E.	2647 Hickory street.
234	Grace, J. D.	2633 La Salle street.
235	Schaffer, F. H.	2601 La Salle street.
236	Albright, F. W.	1017 Ohio avenue.
237	Juengling, F. W.	2621 Hickory street.
238	Buetner, H. J.	2641 Hickory street.
239	Gissy, A.	2702 Hickory street.
240	Jameson, John	2752 Chouteau avenue.
241	Leak, N.	2752 Chouteau avenue.
242	O'Brian, M.	2648 Hickory street.
243	Meier, August	2645 Rutger street.
244	Moore, E. T.	1103 Ohio avenue.
245	Meyer, F.	2728 Hickory street.
246	Deis, J.	2646 Hickory street.
247	Mund, C.	2621 Hickory street.
248	Cabrilliek, P.	2682 Chouteau avenue.
249	Collins, A. L.	1007 Ohio avenue.
250	Wimer, William	2643 Hickory street.
251	Kane, M.	2719 Hickory.
252	Freuning, F.	2753 LaSalle.
253	Albright, W. F.	1017 Ohio avenue.
254	Schneider, C. L.	2615 Hickory street.
255	La Franchi, L. J.	1110 California avenue.
256	Lusse, F. A.	2628 Hickory.
257	Mathews, T.	2632 rear Hickory street.
258	Cradick, T.	2635 Hickory street.
259	Campbell, C.	2634 Hickory street.
260	Reynolds, C.	1106 Ohio avenue.
261	Doering, H.	2707 Rutger street.
262	Jameson, R.	2609 Hickory street.
263	Bocklemann, J.	2602 Chouteau avenue.
264	Bray, Wm. E.	2608 Hickory street.
265	Morris, R.	1123 South Jefferson avenue.
266	Tobin, J. J.	1106 Ohio avenue.
267	Johnson, W.	2642 rear Hickory street.
268	Beardon, J. J.	2735 LaSalle.
269	Apple, John	2714 rear Chouteau avenue.
270	Schmitz, W. C.	2710½ Hickory street.
271	Emery, F.	2710 Chouteau avenue.
272	Lockett, Wm	2632 Chouteau avenue.
273	Jones, Sam A.	1015 Ohio avenue.
274	Weismuellar, N. G.	2633 Rutger street.
275	Ulrich, Caspar	2701 Rutger street.
276	Olson, Ole	2644 Rutger street.
277	Riegelsberger, C. M.	2734 Hickory street.

Q. (By Mr. CLINE.) Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. James J. Butler received 122 votes; George C. R. Wagoner received 112 votes; Henry H. Artz received 3 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have just referred?—A. Four judges and two clerks.

Q. Will you produce the poll books used in precinct No. 2 of the Twenty-third Ward at the said election on November 4, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each said book?—A. Yes.

PRECINCT 2, WARD 23.

Number.	Name.	Address.
1.....	Michael Mahoney	900 South Ewing avenue.
2.....	Wm. Lambert	814 South Ewing avenue.
3.....	J. D. Tompkin	2729 1/2 Chouteau avenue.
4.....	George H. Walker	2743 Chouteau avenue.
5.....	John Deininger, jr	2827 Papin street.
6.....	John Deininger, sr	2827 Papin street.
7.....	James Sweeney	2924 Papin street.
8.....	W. B. Miller	2738 Papin street.
9.....	Michael Leary	2801 Papin street.
10.....	Val. Apple	2818 Papin street.
11.....	Herman Breitsch	2701 Chouteau avenue.
12.....	Edward Creed	2838 Papin street.
13.....	M. E. Hinch	911 West Jefferson avenue.
14.....	Oliver A. Hager	919 West Jefferson avenue.
15.....	John G. Banks	2814 Papin street.
16.....	Thomas M. Donnelly	2924 Papin street.

I now adjourn the taking of evidence at 6 p. m. January 2, 1903, until 7 p. m., 1903, to be continued at the same place.

I now resume, pursuant to adjournment, to taking of evidence at 7.30 p. m. January 2, 1903.

Q. (By Mr. HOLTCAMP.) Will you now proceed from the poll book prior to the adjournment?—A. Yes.

Number.	Name.	Address.
17.....	William B. Kelley	2830 Papin street.
18.....	Elias Lanbau	2919 Chouteau avenue.
19.....	Geo. A. Quiley	2745 Chouteau avenue.
20.....	Jno. J. Vahy	2815 Papin street.
21.....	Wm. Gaynor	917 West Jefferson avenue.
22.....	Saml. Fairchild, sr	915 West Jefferson avenue.
23.....	Chris. Klasing	2729 Chouteau avenue.
24.....	Gus. Jackson	2725 Papin street.
25.....	Jno. Kelly	2848 Papin street.
26.....	Jno. B. O'Leary	2753 Chouteau avenue.
27.....	John O'Connell	822 South Ewing avenue.
28.....	Hy. Turk	2723 Chouteau avenue.
29.....	Jno. C. Kenny	2851 Papin street.
30.....	Jno. Dwyer	2916 Papin street.
31.....	Jas. Whelan	2926 Papin street.
32.....	Geo. Wolf	2829 Chouteau avenue.
33.....	D. J. Quigley	2745 Chouteau avenue.
Other book, line 39.		
34.....	John C. Frew	907 West Jefferson avenue.
Other book, line 33.		
35.....	Conrad Bergman	2775 Chouteau avenue.
Other book, line 34.		
36.....	Solomon Hirt	2715 Papin street.
Other book, line 35.		
37.....	John J. Burke	2837 Chouteau avenue.
Other book, line 36.		
38.....	Thos. Dwyer	2916 Papin street.
Other book, line 37.		
39.....	Patriek Gannon	837 South Ewing avenue.
Other book, line 38.		
40.....	Walter S. Graham; other book, W. S. ..	2739 Chouteau avenue.
41.....	Jas. P. Quigley; other book, Jos. P ..	2813 Chouteau avenue.
42.....	E. Y. Meyer	2735 Chouteau avenue.
43.....	Alfred H. Berger; other book, Alfred Beger.	2815 Chouteau avenue.
44.....	Wm. G. Ernst	2929 Chouteau avenue.
45.....	Wm. Dunphy	2924 Papin street.
46.....	Geo. Kearney	2910 Papin street.
47.....	Jno. Shipley	2733 Chouteau avenue.
48.....	Thos. McDermott	2733 Chouteau avenue.
49.....	Jos. Strain	2753 Chouteau avenue.
50.....	Jas. S. Gannon; other book, Jas.	837D Ewing avenue.
51.....	Anderson McKinzie	2822 Papin street.
52.....	Jno. Rhein	2763 Chouteau avenue.
53.....	J. O. Dennison	2806 Papin street.
54.....	Geo. Kraemer	2929 Chouteau avenue.
55.....	Jno. Warner	2724 Papin street.
56.....	Jno. May	2833 Chouteau avenue.
57.....	Jno. Whelan	2926 Papin street.
58.....	Dennis Dunn	2763 Papin street.

PRECINCT 2, WARD 23—Continued.

Number.	Name.	Address.
59.....	Michael Dunn	2753 Papin street.
60.....	Geo. Guibor	2729½ Chouteau avenue.
61.....	Peter E. Hanson	2913 Chouteau avenue.
62.....	Phillip Creed	2831 Papin street.
63.....	Fred Anderson	910 South Ewing avenue.
64.....	Chas. Kreeb	2737 Chouteau avenue.
65.....	Jno. Hacker	2750 Papin street.
66.....	Wm. Kenney	2851 Papin street.
67.....	Jno. Schrewe	2837 Chouteau avenue.
68.....	Jno. N. Dunphy	2924 Papin street.
69.....	Jas. H. Fitzgerald	2819 Papin street.
70.....	Jno. W. Hanson	2740 Papin street.
71.....	Louis Rose	2703 Chouteau avenue.
72.....	Ducommun Paul	2731 Chouteau avenue.
73.....	E. A. Quigley	2745 Chouteau avenue.
74.....	Jno. J. Sullivan	2837 Chouteau avenue.
75.....	Toney Walz	2729 Chouteau avenue.
76.....	Alvin E. Bernmark	911 West Jefferson avenue.
77.....	Patrick W. Gannon, jr	839 South Ewing avenue.
78.....	Geo. Gamby	833 South Ewing avenue.
79.....	Chas. N. Breitschuh	2701 Chouteau avenue.
80.....	U. J. Kelley	2848 Papin street.
81.....	Hy. Hankap	2917 Chouteau avenue.
82.....	Jas. C. Quigley	2817 Chouteau avenue.
83.....	Thos. F. Dunphy	2924 Papin street.
84.....	Emil M. Deimenger	2827 Papin street.
85.....	Geo. F. Wolff	2829 Chouteau avenue.
86.....	E. J. Keiley	835 South Ewing avenue.
87.....	Michael Kiely	835 South Ewing avenue.
88.....	Michael Morrinn	835 South Ewing avenue.
89.....	Jno. J. Kelley	2848 Papin street.
90.....	Jas. J. Williams	2823 Papin street.
91.....	Chas. Mercer	2820 Papin street.
92.....	Danl. Dwyer	2916 Papin street.
93.....	Harry Blum	2753 Papin street.
94.....	Thos. M. Condon	2907 Papin street.
95.....	Hy Morhman; other book, H.	2815 Chouteau avenue.
96.....	Anderson Buckner	2739 Papin street.
97.....	Jno. J. Hines	2821 Papin street.
98.....	Aug. Longenohl	2812 Papin street.
99.....	Jos. Guilfooy	910 Josephine street.
100.....	Wm. Mercer	2820 Papin street.
101.....	Jas. G. Gunn; other book, Jas. J. Gunn.	2903 Chouteau avenue.
102.....	Dennis Dwyer	822 South Ewing avenue.
103.....	Thos. Gunn	2901 Chouteau avenue.
104.....	Lawrence Gannon	837 South Ewing avenue.
105.....	Andrew Juebler	919 West Jefferson avenue.
106.....	Hy Mueller, jr	2738 Papin street.
107.....	Francis McCormack	913 West Jefferson avenue.
108.....	Hy Lohman	2740 Papin street.
109.....	Thos. Condon	2907 Papin street.
110.....	Chas. Asinger	2815 Papin street.
111.....	Jno. Welsh	2801 Papin street.
112.....	Chas. Baumstead	2769 Chouteau avenue.
113.....	Fred Mueller	2738 Papin street.
114.....	Fred Longenohl	2812 Papin street.
115.....	Jas. B. Murphy	2912 Papin street.
116.....	Hy Mueller, sr	2838 Papin street.
117.....	Alex. Ross	2804 Papin street.
118.....	Thos. Coughlin	2919 Chouteau avenue.
119.....	Roe Green	2726 Papin street.
120.....	Michael Oates	900 South Ewing avenue.
121.....	Patrick Oates	900 South Ewing avenue.
122.....	Edward Kearney	2910 Papin street.
123.....	Benj. Johnson	2743 Chouteau avenue.
124.....	John Podwitr	2715 Chouteau avenue.
125.....	Danl. Gleason	2753 Chouteau avenue.
126.....	Aug. Kreeb	2748 Papin street.
127.....	Michael Dunphy	2924 Papin street.
128.....	Robt. L. Randell	905 West Jefferson avenue.
129.....	Chas. Jost	2721 Chouteau avenue.
130.....	Wm. Wagner; other book Hy	2823 Papin street.
131.....	Bernard T. Gannon	837 South Ewing avenue.
132.....	Lawrence A. Fallert	2740 Papin street.
133.....	Danl. Gleason, jr	2753 Chouteau avenue.
134.....	Geo. Sackman	2751 Chouteau avenue.
135.....	Jno. McCormack	913 West Jefferson avenue.
136.....	Jos. C. Carter	2832 Papin street.
137.....	E. L. Edgarton	909 West Jefferson avenue.
138.....	Chas. Humphrey	2911 Chouteau avenue.
139.....	August Meyer; other book Meier	2913 Chouteau avenue.
140.....	Frank J. Brudner	2831 Chouteau avenue.
141.....	F. B. McCormack	2720 Papin street.

PRECINCT 2, WARD 23—Continued.

Number.	Name.	Address.
142.....	Patriek Maher.....	2731 Chouteau avenue.
143.....	Jno. McCarthy.....	2753 Papin street.
144.....	Jas. Wiley.....	2804 Papin street.
145.....	Hy W. Price; other book Harry.....	2937 Chouteau avenue.
146.....	Emil Kracht.....	2829 Chouteau avenue.
147.....	Edward Dunphy.....	2924 Papin street.
148.....	Jacob Dahl.....	919 Jefferson avenue.
149.....	Thos. Blankenship.....	2913 Chouteau avenue.
150.....	Edward Miesen.....	2735 Chouteau avenue.
151.....	Aungres or Angus Dunkle.....	2909 Papin street.
152.....	Arlin Phillips; other book 2909.....	2902 Papin street.
153.....	Saml. Scott.....	2911 Chouteau avenue.
154.....	Frank L. Poore.....	2808 Papin street.

Q. (By Mr. CLINE.) Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at said precinct?—A. According to one certificate, James J. Butler received 103 votes; George D. Wagner received 48 votes.

Q. How many judges and clerks signed this certificate which you have just read?—A. Four judges and two clerks. According to the other said certificates, no votes were recorded for any candidate for Congress for the short term, but the spaces provided therefor were left entirely blank.

Q. How many judges and clerks appended their signatures after this blank certificate just referred to?—A. Four judges and two clerks.

Q. Will you produce poll books contained in the ballot book used in precinct No. 7, in Ward No. 23, at the said election the 4th of November, 1902, in the city of St. Louis, State of Missouri, and read therefrom the name, number, and address of each voter recorded therein, beginning at No. 1, and continuing in consecutive order to and including the last name in each said book?—A. Yes.

Number.	Name.	Address.
1.....	O'Connell, L. J. or Larreecer.....	317 Montrose.
2.....	A. A. Lweis.....	3106 Clark avenue.
3.....	Russell, R. A. or Robt. A.....	3119 Adams street.
4.....	Hooper, R. A. or Robert.....	3121 Adams street.
5.....	Jas. H. McShanahan; other book no initials.	433 Theresa avenue.
6.....	Heisell, Jno. R.....	3122 Clark avenue.
7.....	Forest, D. J.....	317 Montrose.
8.....	Stead, Wm. A.....	701 South Compton avenue.
9.....	Blakeman, Louis.....	3436 Manchester avenue.
10.....	Weaver, Geo. F.....	409 Montrose avenue.
11.....	Weaver, T. J.....	409 Montrose avenue.
12.....	Kavanaugh, Jos. H.....	3100 Clark avenue.
13.....	Bildner, Frank.....	3125 Adams street.
14.....	Branagan, Paul.....	3102 Clark avenue.
15.....	Branigan, Jas.....	3102 Clark avenue.
16.....	Hennessey, David.....	3018 Clark avenue.
17.....	Stone, L. M.....	3024 Clark avenue.
18.....	La Barre, G. C.....	413 Montrose.
19.....	Couhran, Shelby.....	3532 Bernard street.
20.....	Weaver, E. T.....	409 Montrose.
21.....	Branagan, Joe.....	3102 Clark avenue.
22.....	Gaines, Edw.....	316 South Compton avenue.
23.....	Lullman, H. W.....	3103 Adams street.
24.....	McMahon, Timothy.....	3130 Clark avenue.
25.....	La Barge, F. J.....	3017 Adams street.
26.....	Keeley, Jno. J.....	3016 Adams street.
27.....	Gamble, Geo. H.....	3136 Clark avenue.
28.....	Bira, Steven.....	3510 Manchester avenue.
29.....	Weldon, Hy.....	815 Montrose avenue.
30.....	Kavanaugh, Thos. W.....	3100 Clark avenue.
31.....	Hooper, Jno. L.....	3121 Adams street.
32.....	Rhines, Chas. A.....	405 Montrose.
33.....	Dinau, Timothy.....	317 Montrose.
34.....	Kelley, Jno. J.....	3134 Adams street.
35.....	Hayes, Jno.....	3118 Clark avenue.
36.....	Billings, Chas.....	3134 Clark avenue.
37.....	Leach, Louis B.....	3531 Bernard street.
38.....	Edward, Theo.....	318 South Compton avenue
39.....	Lewis, Ben. F.....	3126 Clark avenue.

Number.	Name.	Address.
40.	Smith, F. L.	3110½ Clark avenue.
41.	Jenkins, J. D.	3112 Clark avenue.
42.	Dickerson, Jno. D.	3104 Clark avenue.
43.	Kenney, Jos. J. or E. P.	319 Montrose.
44.	Murphy, E. P.	3128 Clark avenue.
45.	Hughes, Wm. W.	401 Montrose.
46.	Wilder or Wilde, Jas.	3112½ Clark avenue.
47.	Vrohr, Chas.	3138 Clark avenue.
48.	Biehoff, Hy.	3516 Manchester.
49.	Hahn, Morris.	527 Theresa avenue.
50.	Murphy, Wm. J.	3128 Clark avenue.
51.	McGuire, Bernard.	3014 Adams.
52.	Anderson, Thos. L. or E. L.	3124A Clark avenue.
53.	Murphy, Tim D.	3128 Clark avenue.
54.	O'Rourke, John.	3203 Adams street.
55.	Brockway, Luke.	3508 Bernard street.
56.	Wilson, Jerry.	3136A Adams street.
57.	Hughes, Campbell.	407 Montrose avenue.
58.	McNamara, Jas., or McMarrah.	2120 Clark avenue.
59.	Martin, Peter.	3517 Bernard street.
60.	McKeon, F.	3118 Clark avenue.
61.	Cox, J. C.	327 Montrose.
62.	Weisenberg, Jos.	3432 Manchester avenue.
63.	Lauderman, F. H. A.	405 Montrose avenue.
64.	Kirby, Jno. F.	3121 Adams street.
65.	Best, E. L.	3002 Clark avenue.
66.	Wiley, F. B.	3528 Manchester avenue.
67.	Eckert, H. H.	3018 Clark avenue.
68.	Kliber, Fred J.	3500 Manchester.
69.	Berry, Chas. O.	3020 Adams street.
70.	Braxton, C. M.	3030 Clark avenue.
71.	Downs, David.	3014 Adams street.
72.	Tulley, Jas.	3538 Manchester.
73.	Fay, Thomas.	3116 Clark avenue.
74.	Rose, Fred.	605 South Theresa.
75.	Kliber, Wm. A.	3504A Manchester.
76.	Forester, Jas. F.	3021 Adams street.
77.	Gerling, Chas. C.	3114 Clark avenue.
78.	Ferber, M. G.	3539 Scott avenue.
79.	Daley, Edward.	3130 Clark avenue.
80.	Fuller, Geo. O.	3134 Adams street.
81.	Reynolds, Wm. G.	3006 Clark avenue.
82.	Bentley, Michael.	403 Montrose avenue.
83.	Costello, Jas. J.	3028 Clark avenue.
84.	Goebel, Arthur.	3508 Manchester avenue.
85.	Fishwick, J. O.	3120 Clark avenue.
86.	Simmon, Pinky.	3530 Manchester avenue.
87.	Smith, Hall.	3000 Atlantic avenue.
88.	Downes, Michael.	3014 Adams street.
89.	McGuire, Phillip.	3114 Adams street.
90.	Fitzgerald, John.	3017 Adams street.
91.	Darby, Frank.	3515 Bernard street.
92.	Downes, David.	3440 Manchester avenue.
93.	Kenney, Jas., jr.	319 Montrose avenue.
94.	Carter, Pat. H.	3515 Scott avenue.
95.	Kersen, Gerland.	3203 Adams street.
96.	Rose, Peter.	605 Theresa avenue.
97.	Dugan, Jno. Thos.	319 Montrose.
98.	Leonard, C. L. J.	3103 Adams street.
99.	Reiff, Hy.	3125 Adams street.
100.	Malone, Ed. V.	3129 Adams street.
101.	Bruns or Burnes, Louis.	3010 Adams street.
102.	Kelley, L. B.	3015 Adams street.
103.	McGrath, W. M.	3012 Clark avenue.
104.	Murphy, Richard.	3526 Manchester avenue.
105.	Loyd, Wm. N.	3140 Manchester.
106.	Smith, A. C.	3126 Clark avenue.
107.	Brent, Gilbert.	3523 Bernard street.
108.	Kinney, Jas. C., jr.	319 Montrose street.
109.	Lang, Jas., or Long.	3128 Clark avenue.
110.	Skally, Thos. J.	3129 Adams street.
111.	Seebold, Alfred E.	3119A Adams street.
112.	Arment, Limon.	3119 Adams street.
113.	Williams, G. H.	3133 Adams street.
114.	Traey, N. A.	3125 Clark avenue.
115.	Briscoe, Chas. R.	601 Teresa avenue.
116.	Hart, Barclay.	3021 Adams street.
117.	Angus, P.	3136 Adams street.
118.	McGrath, Jas. R.	3012 Clark avenue.
119.	Lewis, A. B.	3108 Clark avenue.
120.	Lewis, Chas.	3108 Clark avenue.
121.	Rushenberg, Alex.	3032 Clark avenue.
122.	Darby, Luther.	3515 Bernard street.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term, at the said precinct?—A. One of said certificates is as follows: Wagoner, Geo., received 34 votes; Butler received 80 votes. Other certificates are as follows: James Butler received 80 votes; George C. R. Wagoner received 34 votes.

Q. How many of the judges and clerks signed the certificates to which you have just referred?—A. Four judges and two clerks.

I now adjourn taking of evidence, at 10.30 p. m., January 2, 1903, until 9 a. m., January 3, 1903, to be continued at same place.

Contestant's Exhibit No. 7—A. R. Russell, notary public.

Q. Will you produce the poll books of the eleventh precinct, Twenty-fourth Ward, and read therefrom the numbers, names, and places of residence contained therein, beginning with number 1 and reading consecutively to the end thereof?—A. Yes, sir.

Number.	Name.	Residence.
1.....	Cunningham, Mike.....	6448 Marmaduke avenue.
2.....	Vennemann, J.....	5626 Magnolia avenue.
3.....	Kuyath, John.....	2819 Dalton avenue.
4.....	Appel, August.....	6735 Scanlon avenue.
5.....	Rufle, George J., jr.....	5410 Magnolia avenue.
6.....	Alleorn, Harry.....	6724 Marmaduke avenue.
7.....	Hollman, William.....	5433 Reber place.
8.....	Doecher, J. A.....	5421 Reber place.
9.....	Moody, Wm.....	6529 Marmaduke avenue.
10.....	Hagermeyer, Henry.....	3408 Magnolia avenue.
11.....	Kaye, Jas. W.....	2729 Dalton avenue.
12.....	Summers, J. W.....	6239 Magnolia avenue.
13.....	Sutter, John A.....	6926 Bradley avenue.
14.....	Cahill, John.....	3261 Jasper park.
15.....	Kapeff, M.....	5633 Magnolia avenue.
16.....	Berrigan, Jas.....	5667 Old Manchester road.
17.....	Groesehel, Chas. S.....	2820 Wood street.
18.....	Blake, W. H.....	6258 Columbia avenue.
19.....	Boehme, Robert.....	6420 Arsenal street.
20.....	——, Chas. M.....	2764 Tamm avenue.
21.....	Bigus, Edw.....	5631 Reber place.
22.....	Matthews, Adolph.....	2731 Dalton avenue.
23.....	Hoffman, Edw. E.....	6649 Fyler avenue.
24.....	Kaltwasser, Edw.....	2711 Dalton avenue.
25.....	Whitmore, H. A.....	2821 Dalton avenue.
26.....	O'Malley, B. J.....	5401 Arsenal street.
27.....	Matthews, Otto.....	2731 Dalton avenue.
28.....	Holberg, Christ.....	6730 Smiley avenue.
29.....	Kressley, Chas.....	5714 Old Manchester road.
30.....	McGowan, Patrick.....	Female Hospital.
31.....	Holter, Hans O.....	5518 Old Manchester road.
32.....	Jacobson, Chas.....	5606 Magnolia avenue.
33.....	Hart, John.....	5521 Old Manchester road.
34.....	O'Toole, James.....	6411 Odell street.
35.....	Frauenstein, Wm.....	2827 Dalton avenue.
36.....	Groetegers, Lambert.....	5633 Magnolia avenue.
37.....	Santein, Barney.....	5519 Magnolia avenue.
38.....	Coleman, W. B.....	6566 McCune avenue.
39.....	Gray, Wm. H.....	6700 Odell avenue.
40.....	Freimuth, Wm.....	6843 Fyler avenue.
41.....	Krummel, Wm.....	5973 Old Manchester.
42.....	Kane, Pat.....	Female Hospital.
43.....	Sleight, George.....	2739 Dalton avenue.
44.....	Franke, Chas. H.....	6842 Scanlon avenue.
45.....	Imboden, Edw.....	2808A Wood street.
46.....	Wilkinson, W. G.....	6412 Old Manchester.

We will now adjourn until January 3, 1903, at 9 o'clock a. m.

Pursuant to adjournment, taken at 10.30 p. m., January 2, 1903, I now resume the taking of testimony at 9.45 a. m., January 3.

You will please resume reading from the poll book of the eleventh precinct, Twenty-fourth Ward, where you closed at the adjournment last night.

Number.	Name.	Residence.
47.	Gray, Hy. W.	5819 Arsenal street.
48.	Benson, A. L.	2615 Sublette avenue.
49.	Roebke	2723 Dalton.
50.	Grambs, Carl B.	2723 Dalton.
51.	Hunter, F. V.	6614 McCuen avenue.
52.	McCallack, J. M.	6570 Stanlan avenue.
53.	Hart, Patrick	5521 Old Manchester.
54.	Schaft, Frank	2714 Pearl.
55.	Paine, Charles H.	6456 Odell street.
56.	Daniels, Rich. P.	5602 Magnolia avenue.
57.	Quenen, Mike	6012 Old Manchester.
58.	Benton, H. W.	6508 Odell street.
59.	Gordon, A.	6813 Stanlan avenue.
60.	Gordon, M. V. B.	6837 Stanlan avenue.
61.	Seamen, R. D.	6575 Odell street.
62.	Harris, R. H.	6947 Bradley avenue.
63.	Helmer, Earnest	6703 Marmaduke avenue.
64.	Slater, O. P.	6416 Old Manchester.
65.	Aquart, A. D.	6716 Smiley.
66.	Seymour, J. B., jr.	6574 Odell street.
67.	Meis, John S.	6747 Reber place.
68.	Jellek, Wm.	6503 Odell street.
69.	Graber, H. S.	6568 Odell street.
70.	Jameson, James, jr.	6820 Scanlon avenue.
71.	Lane, John S.	Female Hospital.
72.	Percy, W. H.	3266 Frisco avenue.
73.	Dunn, M. B.	6216 Columbia avenue.
74.	Derwostyp, Hy.	5912 Old Manchester.
75.	Aleon, M. S.	6724 Marmaduke avenue.
76.	Parker, John L.	6566 Old Manchester.
77.	James, John S.	6826 Bradley avenue.
78.	Overbeck, Phillip	5942 Old Manchester.
79.	English, John	5716 Old Manchester.
80.	Owen, Joseph	5800 Old Manchester.
81.	Chlamber, Fred W.	2125 Macklin avenue.
82.	Roddy, Petee, jr.	2735 Dalton avenue.
83.	Curren, Wm.	5528 Magnolia avenue.
84.	Fleming, John	5716 Old Manchester.
85.	McGlone, James	5800 Old Manchester.
86.	Walsh, Mike	Poorhouse.
87.	Burkhart, H. G.	6936 Bradley avenue.
88.	Morrissey, Frank	5443 Arsenal.
89.	Creedy, Lebirtt	6608 Marmaduke.
90.	Thornburgh, A. S.	5412 Reber.
91.	Hanni, A. C. or O. C.	5422 Magnolia.
92.	Murphy, James	5716 Old Manchester.
93.	Bergwald, Ed.	5504 Columbia avenue.
94.	Metz, Wm. C.	5430 Columbia.
95.	McEnnery, J. P.	5729 Arsenal street.
96.	Woodworth, L. J.	6656 Old Manchester.
97.	Carroll, Pat J.	2828 Wood street.
98.	McCullough, G. E.	5425 Arsenal street.
99.	Johnson, Fred	5950 Old Manchester.
100.	Jannsen, Gerhardt	5915 Fyler avenue.
101.	Monte, H. B.	2723 Macklind avenue.
102.	Haas, Fred.	3237 Reber place.
103.	Nordman, Hy. W.	5418 Magnolia.
104.	Kehr, Hy. W.	6741 Smiley avenue.
105.	Hancock, W. P.	6721 Smiley avenue.
106.	Haney, J. P.	5800 Old Manchester.
107.	McClurg, Humphrey	6210 Columbia avenue.
108.	Buchanan, W. D.	6639 Marmaduke avenue.
109.	Pellouk, O. A.	2911 Macklind avenue.
110.	Zimmermann John	540 Magnolia.
111.	Kauffer, Frank	5980 Old Manchester.
112.	Sebastian, Wm.	6624 Old Manchester.
113.	Kennedy, John	5605 Old Manchester.
114.	Edelman, Jacob	6442 Marmaduke avenue.
115.	Gombro, Joseph F.	2729 January avenue.
116.	Gombro, Norberg	2729 January avenue.
117.	Mitchell, J.	5716 Old Manchester.
118.	Curmandy, Michael	Poorhouse.
119.	Melbeck, Victor	5625 Reber place.
120.	Kranse, Francis	6124 Marmaduke.
121.	Roach, Dennis	6214 Magnolia.
122.	Hollman, James or Joseph	5533 Reber place.
123.	Shey, Austin	Poorhouse.
124.	Bittner, Ed., sr.	3211 Sublette.
125.	Miller, Jesse A.	5839 Old Manchester.
126.	Crackel, O. C.	3230 Frisco avenue.
127.	Boismenui, Sam	5449 Arsenal.
128.	Ring, John	2821 Dalton avenue.
129.	Steinbroeck, O. F.	6645 Marmaduke.
130.	Lee, Edw	6750 McCuen.
131.	Dunn, W. M.	6216 Columbia avenue.

Number.	Name.	Residence.
132.	Barrioz, Phillip	2909 Watson road.
133.	Johnson, John	5930 Old Manchester.
134.	Griffin, John	2721 Macklind avenue.
135.	O'Connell, Brien	Poorhouse.
136.	Brady, T. N.	Poorhouse.
137.	Brown, E. J.	6208 Magnolia.
138.	Ottormeyer, Albert	5518 Magnolia.
139.	Bushnell, T. W.	6570 Bradley avenue.
140.	Remmers, E. G.	Poorhouse.
141.	Morrisy, J. E.	Poorhouse.
142.	McEpany, E. P.	5729 Arsenal.
143.	McDonald, James	5401 Arsenal.
144.	Freick, F. H.	5505 Old Manchester.
145.	Owens, E. L.	6522 Odell.
146.	Hullett, W. E.	6522 Odell.
147.	Hullett, W. L.	6555 Odell.
148.	Hulett, H. J.	6522 Odell.
149.	Stack, John H.	5509 Magnolia.
150.	Johnson, J. C.	6632 Marmaduke.
151.	Farrington, John	5720 Old Manchester.
152.	Roddy, Peter, sr.	2735 Dalton.
153.	Parker, John J.	6566 Old Manchester.
154.	Coffy, G. G.	2638 Dalton avenue.
155.	Sheehan, Con	2927 Macklind.
156.	Qinn, A. T.	6934 Bradley.
157.	Reitz, John	5668 Marmaduke.
158.	Harring, F. P.	Female Hospital.
159.	Patterson, C. S.	2760 Tann avenue.
161.	Vanderwald H.	5440 Columbia.
162.	Jannicke, Chas	5421 Odell.
163.	Wilke, T. A.	5926 Bradley.
164.	Sherman, L. W.	5439 Magnolia.
165.	Wright, W. D.	5706 Old Manchester.
166.	Hall, Leroy	5814 Old Manchester.
167.	Roll, M. O.	5439 Arsenal.
168.	McHale, Rich	5436 Old Manchester.
169.	Byrnes, Joseph	5609 Old Manchester.
170.	Cimmerly, John	5410 Odell.
171.	Tallon, C. N.	2618 Dalton.
172.	Schreier, Louis	5400 Old Manchester.
173.	Wooler, Ed	5401 Old Manchester.
174.	Ottormeyer, Ben	5518 Magnolia.
175.	Creecey, Edmond P.	6608 Marmaduke.
176.	Braun, Joseph	2800 Wood street.
177.	Litton, R. D.	6519 Fyler avenue.
178.	Gleason, J. D.	Poorhouse.
179.	Magill, Wm. L.	6584 Bradley.
180.	Vancleve, A. A.	2909 Watson road.
181.	Guelker, H.	2629 Sublette avenue.
182.	Hoeck, Martin	Poorhouse.
183.	Wagoner, Ben	Poorhouse.
184.	Henrid, A. P.	5400 Magnolia avenue.
185.	Reardon, G.	Poorhouse.
186.	Harty, Lawrence	Poorhouse.
187.	Henson, J. W.	6648 Marmaduke.
188.	Dierkins, W. G.	5430 Odell.
189.	Kelly, Edward	Poorhouse.
190.	Pahl, Christ	5801 Old Manchester.
191.	Pahl, Louis C.	5801 Old Manchester.
192.	McDonald, Frank	5131 Reber place.
193.	Biersdorf, Charles	Poorhouse.
194.	Cabeen, G. R.	2740 Tann avenue.
195.	Schink, Louis	5636 Reber place.
196.	Heinnecke, X.	5531 Old Manchester.
197.	Whitford, Mathew	2725 Macklind avenue.
198.	Cardwell, H. C.	6741 Arsenal.
199.	Fillmore, Francis	5416 Magnolia.
200.	Hood, Frank	5123 Odell.
201.	Stengel, Christ	5123 Odell.
202.	Zitz, C. A.	6567 Bradley.
203.	Hoffel, John	2907 Macklind.
204.	Eanes, B. H.	Poorhouse.
205.	Bennet, W. B.	6510 Old Manchester.
206.	Seffert, Barthold	3277 Sublette.
207.	Jameson, James	6820 Scanlon.
208.	Gilker, Hy	5101 Magnolia.
209.	Leistmeister, Hy	5435 Arsenal.
210.	Froell, Christian	5979 Old Manchester.
211.	Murphy, James C.	Female Hospital.
212.	Owens, Ed	Poorhouse.
213.	Schaffner, Chas	6570 Marmaduke.
214.	Finnigan, O. E.	5938 Old Manchester.
215.	Cain, Wm	5131 Old Manchester.
216.	Hamberger, W.	6568 Odell.
217.	Field, H. L.	6825 Scanlon.

Number.	Name.	Residence.
218.	Curren, John	Lola and Arsenal.
219.	Geissler, Geo.	6726 Arsenal.
220.	Slater, Frank	Poorhouse.
221.	Sheets, M. E.	Poorhouse.
222.	Hanes, Peter	Poorhouse.
223.	Byrne, Peter	Poorhouse.
224.	McEnnary, Joseph	5729 Arsenal.
225.	Gartonbach, J.	5452 Arsenal.
226.	Campbell, W. D.	Poorhouse.
227.	Roll, Otis	Poorhouse.
228.	Geisberger, Jacob	6503 Bradley avenue.
229.	Mason, Geo. T.	5416 Magnolia.
230.	Blennencamp, Hy	5603 Old Manchester.
231.	Lippold, John C.	5831 Old Manchester.
232.	Roll, R. B.	5439 Arsenal street.
233.	Goetz, Geo.	Poorhouse.
234.	Schroeder, Anton L.	5453 Reber place.
235.	Schaeringhaus, F. G.	Tann avenue, between Arsenal and Scanlon.
236.	Johnson, Albert	2735 January avenue.
237.	Jackson, Frank	5452 Old Manchester.
238.	Jones, H. A.	5452 Old Manchester.
239.	Haines, Joseph	3285 Watson road.
240.	Lancaster, James	6571 Bradley.
241.	Ottermeier, Hy	5518 Magnolia.
242.	Haggerty, L.	324 Old Watson.
243.	Waking, Conrad	2717 January.
244.	Johnson, W. G.	5930 Old Manchester.
245.	Craig, John H., jr.	5121 Odell.
246.	Lovejoy, Arthur L.	6532 Bradley.
247.	Lovejoy, Fred	6939 Scanlon.
248.	Nonte, Hy.	2723 Macklind avenue.
249.	Mason, Thomas	5416 Magnolia.
250.	Krauss, Harry	6424 Marmaduke.
251.	Rose, John	5441 Reber.
252.	McMurry, R. E.	6836 Smiley.
253.	Harris, E. F.	6531 Bradley.
254.	Steiner, Hy.	5528 Old Manchester.
255.	Martin, N. J.	Watson and Scanlon.
256.	McArmer, Oliver	5811 Fyler.
257.	Johnson, H. W.	5946 Old Manchester.
258.	Lohman, A. G.	6258 Columbia.
259.	Ferguson, A. S.	6718 Marmaduke.
260.	Reitz, Aug.	6568 Marmaduke.
261.	Hewett, Fred.	2723 Tann.
262.	Coleman, Theo. A.	6826 Bradley avenue.
263.	Ryan, D. A.	6647 Odell street.
264.	Shanahan, Thos. H.	5825 Old Manchester.
265.	Celle, John L.	3138 Watson.
266.	Goetz, Fred	3128 Watson.
267.	MacDonald, John	5426 Old Manchester.
268.	Wrigley, Jas.	2618 Dalton.
269.	Lagerman, B.	2615 January.
270.	Elam, Geo.	6556 Bradley.
271.	Skimmlyhorn, W. E.	2707 Sublette.
272.	Haus, Earnst	5128 Columbia.
273.	Holland, W. H.	2404 Wood street.
274.	Barrett, Chas.	2804 Wood street.
275.	Fink, Frank	5501 Magnolia.
276.	Jansen, Fred	3188 Watson.
277.	Harper, Chas.	6518 Odell.
278.	Werner, Arnold	5449 Arsenal street.
279.	Franke, A. J.	6821 Bradley.
280.	Zizzik, Martin	5908 Old Manchester.
281.	Wegman, David	5444 Odell.
282.	Koenig, Hy	5431 Magnolia.
283.	Wood, Fred	5511 Old Manchester.
284.	Bandte, Emil	5507 Magnolia.
285.	Bandte, Fred	5507 Magnolia.
286.	Nopf, Ignatz	5629 Reber place.
287.	Zimmerley, Geo.	5110 Odell.
288.	Zimmerly, John, jr.	5532 Magnolia.
289.	Raff, Conrad J.	5701 Arsenal.
290.	Sterling, R. A.	6416 Old Manchester.
291.	Soetebier, F.	2631 January.
292.	Crane, S. E.	6519 Odell.
293.	Bendick, J. H.	6939 Scanlon.
294.	Hoffman, Hy.	6337 Bradley.
295.	Zeizer, Hy.	5434 Odell.
296.	Coleman, Theo. L.	6568 Scanlon.
297.	Burge, Joseph	5521 Magnolia.
298.	Redmon, H. C.	2628 Dalton.
299.	McHale, J. R.	5436 Old Manchester.
300.	Miller, S. A.	2712 Pearl avenue.
301.	Bittner, Ed.	3211 Sublette.

Number.	Name.	Residence.
302.	Kennedy, J. B.	6412 Marmaduke.
303.	Nicholson, C. S.	2816 Wood street.
304.	Brueggeman, A. F.	5532 Old Manchester.
305.	Horten, John.	5730 Columbia.
306.	Griffin, Daniel.	6900 Arsenal.
307.	Rest, F.	5462 Old Manchester.
308.	Manning, Jacob.	5401 Old Manchester.
309.	Snyder, A. E.	5439 Arsenal.
310.	Owen, H. A.	6522 Odell.
311.	Dunn, Michael.	3262 Jasper park.
312.	MacDonald, Thos.	5431 Reber.
313.	Eilers, John.	6936 Bradley.
314.	Basket, Jas. H.	2714 Buchanan.
315.	Haldberg, C. L.	6832 Smiley avenue.
316.	Harper, W. H.	6518 Odell.
317.	Fink, E. D.	5432 Odell.
318.	Groeschel, Herman.	2818 Wood street.
319.	Krummel, Hy.	5969 Old Manchester.
320.	Stevens, Jo. H.	6580 Scanlon.
321.	Stradle, John S.	6500 Odell.
322.	Kendrick, Edw.	3257 Jasper Park.
323.	Havens, S. S.	6540 Old Manchester.
324.	Bremer, Hy.	5708 Old Manchester.
325.	Burnhart, Jacob.	2808 Ivanhoe.
326.	Beile, Joseph.	5626 Magnolia.
327.	Owen, Austin.	6440 Marmaduke.
328.	Boyes, J. A.	2726 Dalton.
329.	Curran, Michael.	5523 Old Manchester.
330.	Coleman, Hy.	5433 Reber place.
331.	Krause, Albert.	5630 Reber.
332.	Zeller, Fred.	5522 Old Manchester.
333.	Hogan, J. C.	6540 Bradley.
334.	Kaemeyer, Wm.	5972 Old Manchester.
335.	Kordenbrock, J. C.	5902 Old Manchester.
336.	Anderson, John.	6825 Bradley.
337.	Knopp, Nich.	5960 Old Manchester.
338.	Irwin, Wm.	5801 Old Manchester.
339.	Krummel, Hy.	5969 Old Manchester.
340.	Ruga, J. P.	5909 Old Manchester.
341.	Truman, J. A.	January and Reber.
342.	Geissberger, Gus.	6503 Bradley.
343.	Geissberger, Jacob.	6503 Bradley avenue.
344.	Welsh, John.	5513 or 5516 Magnolia.
345.	Kennedy, Jas. P.	5605 Old Manchester.
346.	Cahill, Wm.	3261 Jasper Park.
347.	Robbins, Hy.	5641 Reber place.
348.	Seibke, G. W.	6803 Scanlon.
349.	Werner, Adam.	6908 Smiley.
350.	Finot, L. J.	5416 Odell.
351.	Green, J. F.	5930 Old Manchester.
352.	Roll, Rich.	5439 Arsenal.
353.	Wallis, B. F.	2718 Ivanhoe.
354.	Walsh, Mich.	5516 Magnolia.
355.	Shine, J. A.	5451 Odell.
356.	Finnigan, D. J.	5913 Old Manchester.
357.	Roddy, Ed. F.	2806 Wood street.
358.	Rhody, Jas. D.	2735 Dalton.
359.	Steffen, B. W.	2622 Dalton.
360.	Shoemaker, F. B.	5526 Magnolia.
361.	McMahon, Wm.	5530 Magnolia.
362.	Biel, Clemens.	5708 Old Manchester.
363.	Reitz, Ed.	6568 Marmaduke.
364.	Ferry, Thos. F.	2828 Dalton.
365.	Hoton, H. H.	5823 Old Manchester.
366.	Tryk, A. P.	6400 Marmaduke.
367.	Tryk, Martin.	6400 Marmaduke.
368.	Weckenborg, Hy.	5527 Magnolia.
369.	Kemper, Wm.	5601 Magnolia.
370.	Wahaff, Henry.	5611 Reber.
371.	McCoy, Harry.	5400 Magnolia.
372.	Skala, V.	5426 Magnolia.

Q. Will you now read the number of votes received by each Congressional candidate for the short term, as certified to by the judges, in the poll books from which you have just read?—A. James J. Butler received 172 votes and George C. R. Waggoner received 163 votes and Henry H. Artz received 9 votes.

Q. How many judges and clerks signed that poll book?—A. Four judges and two clerks signed both books.

CITY OF ST. LOUIS, *State of Missouri*, ss:

We, R. L. Jourdan, and George W. Rinkel, being duly sworn as aforesaid, testify that all the numbers, names, and addresses appearing in the foregoing depositions were written down in our presence and that the same are recorded as they appear in the poll books produced and read from as above.

R. L. JOURDAN.
GEO. W. RINKEL.

Subscribed in my presence and sworn to before me this 3d day of January, 1903.
[SEAL.]

JAMES D. HALTER,
Notary Public, City of St. Louis, Mo.

My term will expire January 11, 1906.

Contestant's Exhibit No. 8, part 1.—A. R. Russell, Notary Public.

ST. LOUIS, MO., *January 31, 1903—11 a. m.*

Dr. WILLIAM R. FAULKNER, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Will you please state your name?—A. William R. Faulkner.

Q. You are also known as Doctor?—A. Yes, sir.

Q. What is your age?—A. About 60.

Q. Where do you reside?—A. I reside at 4367 Laclede avenue.

Q. What is your business?—A. I am general manager of police property.

Q. How long have you held that position?—A. Thirty years.

Q. How long have you lived in the city of St. Louis?—A. Thirty-one years.

Q. Have you held that position continuously since you became a part of the police force of the city?—A. I was engaged for this position while living in the city of Boston. I did not look for the place; I came here prepared to take it.

Q. Now, tell us briefly what your duties are in your official position?—A. I take charge of the rolling stock of the police department for the police. I have charge of all police property, station houses, and police stables, and the management of same.

Q. Do you know W. A. Rothwell?—A. I do; yes, sir.

Q. Where does he live?—A. That I don't know. I met him in St. Louis.

Q. What position does he have in the Democratic State organization?—A. Chairman of the State committee.

Q. Did you take part—any part—in the political campaign in the last election?—A. Never took part in any political campaign in my life.

Q. Did you raise contributions for the Democratic party in the last campaign?—A. Yes, sir; I did.

Q. Did you turn these contributions over to the Democratic State committee?—A. To the chairman of the State committee.

Q. Mr. W. A. Rothwell?—A. And got his receipts for same.

Q. How many such contributions did you make?—A. I made two payments, I think.

Q. Do you know what the amounts were?—A. I think so.

Q. Please state—

(Objected to as not being in rebuttal of anything offered by the contestee.)

Q. Can you state the amounts?—A. Has his objection anything to do with it?

Mr. ROWE. No; that is simply to be noted.

WITNESS. In the first place, there is my commission. My first payment was \$20,909.80; my second payment and last was \$319.40.

Q. They were both made to W. A. Rothwell acting as chairman?—A. Yes, sir; the two top receipts refer to them papers. I only handed the papers to show the receipts of Mr. Rothwell for the payments.

Q. This paper that you handed me reads:

"To whom it may concern: These presents certify that, by virtue of authority vested in me as chairman of the State central committee of Missouri, I hereby appoint and nominate William R. Faulkner to be a solicitor and collector of funds to be converted to and used by the State Democratic central committee for legitimate purposes of the campaign of 1902.

"In testimony whereof I have hereunto set my hand this 4th day September, 1902.

"WILL A. ROTHWELL, *Chairman.*"

This paper you have produced here, which I have just read, is the credential issued by the chairman of the Democratic State central committee authorizing you to solicit funds?—A. Yes, sir.

Q. In reference to these other papers that you have handed me, one is dated St. Louis, October 2, 1902.

“Received of William R. Faulkner, general manager police property, checks for the following amounts from persons designated below, same being voluntary contributions to the Missouri State Democratic committee to be used for legitimate campaign purposes:

Edward Butler.....	\$250.00
William G. Frye Manufacturing Company	100.00
Harry B. Hawes	100.00
A. C. Stuever	100.00
Meyer-Bannerman	100.00
John Ratchford	50.00
Phil A. Schmidt.....	50.00
Mulvihill Furniture Company.....	50.00
Andy Blong.....	50.00
P. J. Cooney Manufacturing Company.....	50.00
K. M. Selzer.....	50.00
Wm. Tebe Feed Company	25.00
Mathew Kiely.....	75.00
	<hr/>
	1, 050.00

“Received above, October 3, 1902.

“WILL A. ROTHWELL, *Chairman.*”

Q. That is signed by the same Will A. Rothwell?—A. Yes, sir.

Q. And the Mathew Kiely mentioned as contributing \$75 is the chief of police?—A. Yes, sir.

Q. And Mr. Harry B. Hawes, whose named is mentioned as having given \$100, is a member of the police board?—A. Yes, sir.

Q. William Frye, of the manufacturing company mentioned as giving \$100, is also a member of the police board?—A. Yes, sir.

Q. Edward Butler, who is mentioned as giving \$250, is the father of James J. Butler?—A. Yes, sir.

Q. Andy Blong, mentioned as having given \$50, is also a member of the police board?—A. Yes, sir.

Q. Among the papers you have handed me is one that reads as follows:

“Please find additional amount of voluntary contributions of the police force as follows:

Second district	\$48.60
Sixth district.....	27.00
Tenth district.....	11.70
Mounted district	197.90
Central district.....	43.20
	<hr/>
	328.40
Less expense.....	9.00
	<hr/>
	319.40

“Received above sum, \$319.40, for Treasurer Thomas J. Ward, October 24, 1902.

“(Signed)

WM A. ROTHWELL.”

Q. That is signed by the same Mr. Will A. Rothwell?—A. Yes, sir.

Q. The next paper that you handed me is dated “St. Louis, October 3, 1902”——

Mr. RICHEY. This is on the stationery of the mounted police stable:

“Received of William R. Faulkner, general manager of police property, the following amounts turned in from heads of police department, as designated below, same being voluntary contributions to the Democratic State committee from—

First district	\$535.50
Second district	1,480.50
Third district.....	1,421.10
Fourth district	1,776.60
Fifth district	1,312.20
Sixth district.....	1,264.50

Seventh district	\$1, 506. 60
Eighth district	1, 583. 10
Ninth district	1, 644. 30
Tenth district	1, 314. 00
Mounted district	1, 719. 10
Central district	3, 090. 60
Chief Desmond	849. 00
Chief's office	362. 70
	<hr/>
	19, 859. 80''

Q. This is received October 3, 1902, signed Will A. Rothwell, chairman. That is the same Will A. Rothwell, is it?—A. Yes, sir.

Q. Chief Desmond, whose name is mentioned here in connection with the \$849 contribution, is the chief of police in the city of St. Louis?—A. No, sir; he is the chief of detectives; that represents his department.

Q. What does the "chief's office" represent?—A. The chief's office represents attachés, clerks, and those in office.

Q. Now, from whom, in these respective districts that you have mentioned here, did these various sums of money come to you?—A. The captains made reports to the secretary of the chief of police and he made them to me.

Q. Well, from whom, or by whom, was the money itself contributed?—A. By the members of the department, I suppose.

Q. You mean the policemen and the captains and sergeants?—A. Yes, sir.

Q. All of the employees of this department?—A. Yes, sir.

Q. Now, was this money that was collected by the captains of police in the different districts turned over to you direct?—A. No, sir; paid to the secretary of the chief of police by request, William R. Faulkner, jr., my son.

Q. By that secretary turned over to you?—A. After the money was counted—I have a representative and they have a representative—the money was counted, not turned over to me exactly; I took him with me, and the treasurer of the State committee, to Mr. Rothwell, and turned the money over to him in their presence and took his receipts for it.

Q. Who is the treasurer of the State committee?—A. His name is signed to this, Thomas J. Ward.

Q. I will read these certificates or receipts:

"\$20,909.80.

No. 113.

"Headquarters State central committee, St. Louis, Mo., October 3, 1902, received of Dr. W. R. Faulkner, through W. A. Rothwell, the sum of \$20,909.80, as a contribution to the State campaign fund of 1900.

"(Signed)

"THOMAS J. WARD,
"State Central Committee."

Q. That should have been 1902, should it not?—A. I think so; what is the other?

Mr. ROWE. He didn't receive it until October, 1902. The date of the receipt shows that.

Q. This fund was raised for the election campaign of the latter part of last year. That is correct?—A. Yes; that is correct.

Q. The other receipt is for \$319.40?—A. Yes, sir; these two receipts include the whole amount of what you are reading; I simply kept these receipts for my own protection.

Cross-examination by Mr. ROWE:

Q. This fund which you had was turned over to the State committee?—A. To the chairman of the State committee.

Q. Do you know whether the State committee has anything to do with the expenditure of money in the city campaign?—A. That is my understanding.

Q. This fund was for the purpose of paying the proper and legitimate expenses of the State candidates?—A. Yes, that is what my commission shows.

Q. Do you know of any expenditure of this money in the Twelfth Congressional district or any part of it?—A. No, sir; nor no other place.

By Mr. RICHEY:

Q. Were there any other sums raised by the police department of the city of St. Louis, so far as you know, Doctor, for the payment of any campaign expenses in the city?—A. I know there was not.

Q. Do you know of your own knowledge how the city committee used the funds that came into its hands for election purposes?—A. No, I don't know any more than you do; I have never been in the campaign but once in my life.

(Signature waived.)

Contestant's Exhibit 8, part 2.—A. R. Russell, notary public.

St. Louis, January 31—11 a. m.

Depositions of witnesses taken in room 2, before Notary Halter.

JOHN B. OWEN, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Judge KINSEY:

Q. What is your name?—A. John B. Owen.

Q. Where do you live?—A. 1206 Morrison avenue.

Q. How long have you lived in the city of St. Louis?—A. About thirty-five or thirty-six years.

Q. Have you been assisting the contestant in this case, Mr. Wagoner, in preparing his evidence in the contest?—A. Yes, sir.

Q. Have you sent out and caused to be sent out, Mr. Owen, registered letters of inquiries to persons within the Twelfth Congressional district—by that I mean the old district—with a view of ascertaining whether they resided at the places where they were registered from?—A. Yes, sir; 64 precincts.

Q. In what wards and precincts, Mr. Owen?—A. Do you want a detailed account of it?

Q. I want you to state the wards and precincts?—A. The Fourth Ward, Fifth, Sixth, Seventh, Thirteenth, Fourteenth, Fifteenth, Twenty-second, Twenty-third, Twenty-fourth, and Twenty-fifth.

Q. Were any of these letters sent to any persons or person living outside of the old Twelfth Congressional district?—A. No, sir.

Q. All confined to persons who are supposed to live within that district, or did live there on the 4th of November, 1902?—A. Yes, sir.

Q. Now, explain in your own way, Mr. Owen, the manner you pursued in sending these letters; tell us what you did.

Mr. ROWE. We object to the introduction of this witness as not evidence in rebuttal of anything brought out by the contestee.

Judge KINSEY. Without going into any statement as to the objection just made, contestant claims that the foundation for such testimony has already been laid.

(Question read.)

A. I sent from the printed registration list a letter to every man whose name appeared on that list of these 64 precincts, with a return card in the corner, "Return in two days to John Breshare, post-office box 150, St. Louis, Mo.;" the receipt that I received from the Post-Office Department calls for 25,179 cards—

Q. Letters?—A. Yes, sir; of that number. Of the total number sent there was returned to me from the Post-Office Department receipt cards receipted by the addressees for 7,639, leaving a balance of 17,540 that were not delivered by the post-office authorities; of that number 12,608 of the 17,540 returned by the post-office undelivered are in these boxes with definite indorsements by the different letter carriers to the effect that these people to whom these letters were addressed do not live there, or can not be found, dead, no such number, removed, or indorsements of that character.

(Statement of witness objected to on the ground that it is secondary and not the best evidence, and as being incompetent and immaterial.)

Judge KINSEY. As to its being secondary evidence, we will cover that point later.

Q. When did you begin sending these letters, and when did you cease sending—rather, between what two dates were these letters sent out?—A. The first was sent in October, before the election, and there are 1,700 returned that are included in this 12,000; the rest of them were all sent December 16 and 17.

Q. Following the election?—A. Following the election.

Q. In order that the record may show, state between what two dates all of the letters were mailed that you have referred to.—A. Well, October—between October 20, 1902, and December 20, 1902. Do you want me to proceed?

Q. Well, go on.—A. Of the 12,608 returned with this indorsement to the effect that the addressees can not be found, of that number 4,173 have voted, according to the records.

Q. When you speak of the "records" tell us what records you refer to?—A. I refer to the caption, copy of which you gave me, of the poll books and recount, as I understand, taken from the election commissioners' office in these 64 precincts in this case; of the 4,173 that voted, 3,285 are recorded as having voted for Butler, 405 recorded as having voted for Wagoner, and 483 recorded as having voted for nobody. In addition to sending the registered letters, I had the printed lists checked against—

Judge KINSEY. One moment, first, before we go into that. In order that the record may be entirely clear, Mr. Owen, as I understand you, you took the name of each person as recorded in the list of registered voters and proceeded to send him a registered letter, according to the number that appears upon the registration list?—A. Yes, sir.

Q. I am referring now to the printed list of registered voters promulgated by the board of election commissioners.—A. Yes, sir.

Q. That is all?—A. That is the only one I have seen.

Q. You addressed to each person whose name appears on this list within these 64 precincts a letter with the postage prepaid, and to the number given upon that list?—A. Yes, sir.

Q. And what you have said just preceding this about the letters and return of letters were addressed in the manner I have described?—A. Yes, sir.

Q. Now, have you all of these returned letters now in your possession?—A. Yes, sir.

Q. I will ask you whether you will produce—first, I will ask you whether they were addressed and sent out according to the precincts in each of the wards you have named, precinct by precinct?—A. Yes, sir; 64 precincts.

Q. We are now talking about 64 precincts within the old Congressional district. You say you have the returned letters in your possession?—A. Yes, sir.

Q. Have you classified or sorted them in any way?—A. Yes, sir.

Q. In what shape have you these letters now?—A. I had men write them up on sheets of paper.

Q. I am not asking you what shape that is in.—A. According to wards and precincts, each precinct to itself in these boxes.

Q. You say you have a number of boxes marked. I will ask you whether each one of these boxes contains the returned letters of the precinct and is marked on the outside of the box?—A. Yes, sir.

Q. The original letters are here now?—A. Yes, sir.

Q. Now, in addition to sending out these letters, what, if anything, did you do with respect to the names appearing upon these printed registration lists and within these 64 precincts, in respect to the city directory of St. Louis, 1902?—A. I had my men check against the 1902 directory.

(Objected to because he is giving statements of others besides himself.)

Judge KINSEY. We will try and cover that point later, Mr. Rowe.

Q. You had a number of men working under your control and supervision?—A. Yes, sir.

Q. In the work referred to, just state whether you had these men check this printed registration list against the directory of 1902.—A. Yes, sir.

Q. What did they do?—A. If they found that a man's name and address appeared in the directory for 1902 they left it on; they made no mark of any kind on the printed list; if, on the contrary, they could not find the man on the printed list, they drew a check in front of the name.

Q. And this was all done under your direction?—A. Yes, sir.

Q. Under your supervision?—A. Yes, sir.

Q. Were you present all the time when this work was being done?—A. Yes, sir.

Q. Now, what else besides checking against the directory did they do? By the way, what directory is that?—A. Gould's 1902 directory of the city of St. Louis.

Q. That is the only city directory published in the city?—A. The only one I know of.

Q. That is, I mean the only general directory; there are business directories?—A. That is the only one I know of.

Q. In addition to checking against these lists in the directory, what else did you require these men under your supervision to do?—A. I had sheets prepared and printed and had these men write up the letter, name, and number of the addressee, ballot number, if he had voted; the number of the letter-carrier who tried to deliver the letter, number of the registered letter, and remarks of the carrier stamped on the envelope by the postal authorities.

Q. That is, if I understand you, you directed the persons to enter upon a sheet the names of each addressee as it appeared upon the printed registration list?—A. Yes, sir.

Q. His address, his number, the number of the letter-carrier, all as appeared upon the back of the letter?—A. His number and the number of the carrier, number of the letter, the remarks made by the carrier as to why that letter was returned.

Q. All of that writing which appeared upon these letters you directed to be transcribed on the sheet?—A. Yes, sir.

Q. You have these sheets with you now in your possession?—A. Yes, and furthermore, if the name had been voted, I had the ballot number put down and for whom voted.

Q. I am speaking particularly now as to what was done with the registered letters.—

A. Yes, sir.

Q. Now, was all this work done under your own personal supervision and control and oversight?—A. Yes, sir.

Q. How many persons were employed by you doing that work?—A. I don't know exactly; I guess about thirty.

Q. In addition to doing this work on the registration lists, and entering this information from the registration lists, did you require these employees to do anything in respect to their work as to the accuracy of their work?—A. It was all compared and checked up.

Q. Anything besides that?—A. Sworn to.

Q. That is, you required each one to attach to his work his affidavit as to the correctness of his work?—A. Yes, sir.

Q. Now, take the sheet relating to the first precinct of the Fourth Ward—what is the paper you hold in your hand?—A. These are sheets of paper fastened together with the names and notations made on these sheets, such as I have mentioned here; in front is the printed list of registered voters in the first precinct of the Fourth Ward.

Q. Then just state what it is page by page.—A. The first is a blank page with the printed list, prepared, checked up, and signed by Mr. Remmler, with his affidavit.

Q. Is it the official printed list of the first precinct?—A. Yes, sir; the first precinct of the Fourth Ward, October, 1902.

Q. What are the following pages?—A. Addresses of persons and a statement as to whether they are to be found in the directory at these addresses or not; number of letter carrier; number of the registered letter; remarks by the carrier; number of the ballot, if it has been voted, and whom it was voted for.

Q. Now, I will ask you to state the number of sheets that compose this exhibit?—

A. The number of names written in here and number of sheets of paper?

Q. Well, the number of names.—A. Outside and inside?

Q. I will say, excepting the first sheet, which is the printed list of registration, the number of sheets and the number of names?—A. Five, including the outside.

Q. That is five sheets including—A. Only four sheets written on.

Q. How many names are there on that?—A. Fifty on a page—165 names.

Q. Now, this is one of the exhibits or papers prepared by you, under your direction and supervision and control, in the manner which you have described?—A. Yes, sir.

Q. And the affidavit attached to the first sheet is the affidavit of the person who did the work under your direction?—A. Yes, sir.

Q. As shown by that exhibit?—A. Yes, sir.

Q. Now, have you here the returned letters that were sent out to persons in the first precinct of the Fourth Ward, and from which this information contained in these sheets was made?—A. Yes, sir.

Q. Will you produce that list?—A. Yes, sir.

(Witness does as requested.)

Q. Does this box which you have just produced contain the returned letters?—A. Yes, sir.

Q. From which you obtained your information contained in these sheets?—A. Yes, sir.

Q. These returned letters are the letters sent out by you as you have described?—

A. Yes, sir.

Q. And they are the letters that were used by the clerk in making this exhibit?—

A. Yes, sir.

Q. And from which the copy in writing was made?—A. Yes, sir; these sheets are an exact copy of what appears on these letters in rotation.

Q. That is according to your directions?—A. Yes, sir.

Q. You say an exact copy of what appears on the letters or in the letters?—A. On the outside of the letters.

Q. You mean when you say the letters, the envelopes?—A. Yes, sir.

Q. Just produce one of them; we will examine it, and Mr. Rowe may want to see one. [Letter handed to counsel.] I notice that the one you handed me is addressed to Sam Kendrick, No. 311 Lucas avenue, St. Louis, Mo., having on it a canceled 10-cent postage stamp, having also a mailing stamp showing the date of mailing, and number 31980, which you say is the number of the registered letter?—A. Yes, sir.

Q. And on the back of it appears written, "St. Louis, Mo., December 26, 1902," it appears to be with a rubber stamp, and the words, also with rubber stamp, "No such number, 4," and inclosed in a rubber band is a post-office registered return receipt unsigned?—A. Yes, sir.

Q. Now, is that a sample, except as to the facts varying, the indorsement on the

letters contained in this box?—A. Yes, sir; that number is “31986” instead of “31980;” it looks something like “0.”

Q. I will ask you, Mr. Owen, whether these returned letters have been in your possession and under your control ever since they were returned by the post-office authorities?—A. Yes, sir.

Q. And are still in your possession and under your control?—A. Yes, sir.

We now offer in evidence the exhibit referred to by witness, the first page of which has at the top of it the following: “List of registered voters, Fourth Ward, first precinct, October, 1902;” also box of returned registered letters identified by the witness, and ask the notary to mark them “Contestant’s Exhibit No. 1,” and the box “Contestant’s Exhibit No. 1½.”

Q. Now, Mr. Owen, will you produce the exhibit or sheets prepared by you as already stated, for precinct 2 of Ward 4?—A. I will.

(Witness does as requested.)

Q. Is this sheet which you have just produced, the exhibit for precinct 2 of Ward 4?—A. Yes, sir.

Q. Have you the corresponding box of returned registered letters relating to the names contained on the first page of this exhibit?—A. Yes, sir.

Q. Open the box, please. [Witness does as requested.] I will ask you to state whether or not the matter contained in exhibit which you now produce, is made up from information contained in the box of registered letters which you have also produced relating to the second precinct, in the same manner that you have testified as to the first precinct of the Fourth Ward?—A. Yes, sir.

We now offer in evidence the exhibit produced by witness relating to the second precinct of the Fourth Ward, and also the corresponding box of returned registered letters, and ask that one be marked “Contestant’s Exhibit 2,” and the box containing the registered letters “Contestant’s Exhibit 2½.”

(Objected to on the ground that this is not in rebuttal, and because the contestee will not have any opportunity of producing evidence to meet it.)

Mr. RICHY. Contestant’s position is that this testimony affects the matter of registration, into which matter contestee inquired of perhaps the majority of witnesses, and particularly those witnesses who were judges and clerks of election, and were put on the stand by contestee.

Q. (By Judge KINSEY.) Will you now produce the exhibit prepared for the third precinct of the Fourth Ward, with the corresponding box of returned registered letters?—A. I will; there are two boxes relating to this precinct.

Q. Was the exhibit relating to precinct 3 of Ward 4, which you have just produced, prepared in the same manner in which you say the one for precinct 1 of Ward 4 was prepared?—A. Yes, sir.

Q. Do the two boxes of returned registered letters, which you produce, contain the returned letters relating to the names on the printed list of registered voters in this exhibit?—A. Yes, sir.

We now offer in evidence this exhibit, and ask the notary to mark it “Contestant’s Exhibit 3,” and the two boxes of returned registered letters “Contestant’s Exhibits 3½ and 3¾.”

Q. Will you now produce the exhibit prepared for precinct 4 of Ward 4, and the corresponding boxes of returned registered letters?—A. I will. Do you want each of these boxes opened?

Q. I would rather you would open each box.

(Witness does as requested.)

Q. Was the exhibit for the fourth precinct and Fourth Ward, just produced, prepared in the same manner and under the same supervision as the one for the first precinct of the Fourth Ward about which you testified?—A. Yes, sir.

Q. Does this box of returned registered letters contain the returned registered letters of the fourth precinct, Fourth Ward?—A. Yes, sir.

We offer in evidence the exhibit and the corresponding box of returned registered letters, and ask the notary to mark them “Contestant’s Exhibit 4,” and the box “Contestant’s Exhibit 4½.”

Q. Will you now produce the exhibit prepared for precinct 5 of the Fourth Ward, and the corresponding box of returned registered letters?—A. There are two boxes.

Q. There are two boxes of registered letters?—A. Yes, sir.

Q. Was this exhibit relating to the fifth precinct of the Fourth Ward prepared in the same manner as you say the first precinct of the Fourth Ward was?—A. Yes, sir.

Q. And are the letters contained in these two boxes the returned registered letters relating to same, the names mentioned in the first page of this precinct?—A. Yes, sir.

We offer in evidence this exhibit and the corresponding boxes of returned registered letters, and ask the notary to mark one “Contestant’s Exhibit 5,” and the others, respectively, “Contestant’s Exhibits 5½ and 5¾.”

Q. I will ask you to produce exhibit sixth precinct of the Fourth Ward, and the corresponding boxes of registered letters.—A. I will.

(Witness does as requested.)

Q. I will ask you, Mr. Owen, whether this exhibit which you have just produced for the sixth precinct of the Fourth Ward was prepared in the same manner as you testified the one in the first precinct of the Fourth Ward was prepared?—A. Yes, sir.

Q. And this box containing the returned registered letters addressed to the persons whose names appear on the first page of this exhibit?—A. Yes, sir.

We now offer this exhibit and the corresponding box of returned registered letters in evidence, and ask the notary to mark the one "Contestant's Exhibit 6," and the one containing the registered letters "Contestant's Exhibit 6½."

Q. Will you produce exhibit for the seventh precinct of the Fourth Ward?—A. I will.

(Witness does as requested.)

Q. And the corresponding box of returned registered letters?—A. I will.

Q. Was this exhibit relating to the seventh precinct of the Fourth Ward prepared in the same manner, Mr. Owen, as you testified the one for the first precinct of the Fourth Ward was prepared?—A. Yes, sir.

Q. And does this box contain the returned registered letters relating to this exhibit?—A. Yes, sir.

We offer both in evidence and ask that the notary mark one "Contestant's Exhibit 7," and the box containing the returned registered letters "Contestant's Exhibit 7½."

Q. Will you now produce exhibit for the eighth precinct of the Fourth Ward and the corresponding box of returned registered letters?—A. I will.

(Witness does as requested.)

Q. Was this exhibit prepared in the same manner as you have stated the one for the first precinct of the Fourth Ward was prepared?—A. Yes, sir.

Q. Does this box contain the corresponding registered letters?—A. Yes, sir.

We offer in evidence this exhibit and ask the notary to mark one "Contestant's Exhibit 8," and the box containing the returned registered letters "Contestant's Exhibit 8½."

Q. I will ask you to produce the exhibit relating to the ninth precinct of the Fourth Ward and the corresponding box of returned registered letters.—A. I will.

Q. Was this exhibit which you now produce relating to the ninth precinct of the Fourth Ward prepared in the same way and manner as the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Does the box you have also produced contain the returned registered letters relating to this exhibit?—A. Yes, sir.

We now offer in evidence this exhibit and ask that the notary mark it "Contestant's Exhibit 9," and the box containing the returned registered letters "Contestant's Exhibit 9½."

Q. Will you now produce the exhibit relating to the first precinct of the Fifth Ward, Mr. Owen, and also the corresponding box of returned registered letters?—A. Yes, sir.

Q. Was this exhibit which you now produce, relating to the first precinct of the Fifth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Does this box contain the returned registered letters relating to this exhibit?—A. Yes, sir.

We now offer in evidence this exhibit and ask the notary to mark it "Contestant's Exhibit 10," and the box containing the returned registered letters "Contestant's Exhibit 10½."

Q. Will you now produce the exhibit relating to the second precinct of the Fifth Ward and the corresponding box referring to same, containing the returned registered letters?—A. Yes, sir; I will.

Q. Was the exhibit which you now produce relating to the second precinct of the Fifth Ward prepared in the same manner as the one prepared for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Does the box you produce contain the corresponding returned registered letters relating to this exhibit?—A. Yes, sir.

We offer in evidence the exhibit referred to and ask the notary to mark it "Contestant's Exhibit 11," and the box containing the registered returned letters "Contestant's Exhibit 11½."

Q. Will you now produce the exhibit prepared for the third precinct of the Fifth Ward and the corresponding box of returned registered letters?—A. Yes, sir.

Q. Was this exhibit for the third precinct of the Fifth Ward prepared in the same

manner that the one for the first precinct of the Fourth Ward was prepared?—A. It was.

Q. This is true of this box of corresponding registered letters?—A. Yes, sir.

We offer in evidence this exhibit and ask the notary to mark one "Contestant's Exhibit 12," and the box containing the returned registered letters marked "Contestant's Exhibit 12½."

Q. I now ask you to produce the exhibit for the fourth precinct of the Fifth Ward and the corresponding box of returned registered letters and state the number of boxes of registered letters which you have in your possession.—A. There are two boxes with this exhibit.

Q. Was the exhibit prepared for the fourth precinct of the Fifth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. And the letters contained in the two boxes which you have now produced are the letters which relate to this exhibit which you have also produced?—A. Yes, sir.

We offer the exhibit and the two boxes in evidence and ask the notary to mark them, respectively, "Contestant's Exhibit 13," and the two boxes "13½ and 13¾."

Q. Will you now produce the exhibit prepared from the fifth precinct of the Fifth Ward, Mr. Owen, and the corresponding box of returned letters?—A. I will; there are two.

Q. Was the exhibit which you now produce relating to the fifth precinct of the Fifth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. And are the letters contained in the two boxes which you have also produced the returned registered letters relating to this exhibit of the fifth precinct?—A. Yes, sir.

We now offer in evidence this exhibit and ask the notary to mark them, respectively, "Contestant's Exhibit 14," and the boxes "14½ and 14¾."

Q. Will you produce the exhibit for the sixth precinct of the Fifth Ward and the corresponding boxes of returned registered letters?—A. Yes, sir.

Was this also prepared in the same manner as the one in the first precinct of the Fourth Ward?—A. Yes, sir.

Q. And does this box of returned registered letters that you have produced contain the letters which refer to the sixth precinct of the Fifth Ward?—A. Yes, sir.

We offer in evidence this exhibit and ask that the notary mark it "Contestant's Exhibit 15," and the box containing the returned registered letters "Contestant's Exhibit 15½."

Q. Will you now produce the exhibit prepared for the seventh precinct of the Fifth Ward and the corresponding box of returned registered letters?—A. Yes, sir.

Q. Was the exhibit which you now produce, relating to the seventh precinct of the Fifth Ward, prepared in the same manner as the one for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. And does the box which you produce contain the registered returned letters relating to this exhibit?—A. Yes, sir.

We offer in evidence this exhibit and ask the notary to mark it "Contestant's Exhibit 16," and the box containing the returned registered letters "Contestant's Exhibit 16½."

WITNESS. There are two in this precinct.

Q. Is there more than one box of returned registered letters relating to precinct 7 of the Fifth Ward?—A. Yes; there are two.

Q. Will you produce the second box?—A. Yes, sir.

Q. Are the letters contained in the second box which you now produce also relating to the exhibit prepared for the seventh precinct of the Fifth Ward?—A. Yes, sir.

We also offer this box in evidence and ask that it be marked "Contestant's Exhibit 16¾."

Q. Will you now produce exhibit prepared for the ninth precinct of the Fifth Ward and the corresponding box of returned registered letters?—A. I have done so.

Q. Was the exhibit which you now produce of the ninth precinct, Fifth Ward, prepared in the same manner as the one for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Does the box of returned registered letters also produced by you relate to this exhibit for the ninth precinct of the Fifth Ward?—A. Yes, sir.

We offer in evidence exhibit and box of returned registered letters and ask the notary to mark them, respectively, "Contestant's Exhibit 17," and the box containing the returned registered letters "Contestant's Exhibit 17½."

Q. I now ask you to produce an exhibit for the tenth precinct of the Fifth Ward and the corresponding box of returned registered letters relating to same?—A. I will.

Q. Was the exhibit which you now produce, relating to the tenth precinct of the Fifth Ward, prepared in the same manner in which that of the first precinct of the Fourth Ward was prepared?—A. Yes, sir.

Q. Does the box of returned registered letters which you have also produced relate to exhibit for tenth precinct, Fifth Ward?—A. Yes, sir.

We now offer in evidence exhibit for tenth precinct of the Fifth Ward and ask to have it marked "Contestant's Exhibit 18," and the box marked "Contestant's Exhibit 18½."

At this point an adjournment was taken to 2 p. m.

The further taking of testimony was resumed at 3 o'clock p. m., pursuant to adjournment at 1.30 p. m.

Mr. JOHN B. OWEN, in continuation of his testimony, deposed and said as follows:

Direct examination by Mr. KINSEY:

Q. Will you now produce the exhibit prepared for the first precinct of the Sixth Ward?—A. I will.

Q. Also the corresponding box returned with the registered letters?—A. Yes, sir.

Q. Was the exhibit that you have just produced, relating to the first precinct of the Sixth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Are the returned registered letters contained in the box you have just produced the ones relating to the exhibit you have just produced?—A. Yes, sir.

We now offer in evidence the exhibit just produced relating to the first precinct of the Sixth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 19," and the corresponding box of returned registered letters "Contestant's Exhibit No. 19½."

Q. Will you now produce the exhibit prepared for the third precinct of the Sixth Ward?—A. I will.

Q. And also the box of returned registered letters relating to this exhibit?—A. Yes, sir.

Q. I will ask you if the exhibit you have just produced, relating to the third precinct of the Sixth Ward, was prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Are the letters contained in the box which you have just produced those relating to the exhibit that you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced by the witness, relating to the third precinct of the Sixth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 20," and the corresponding box of returned registered letters "Contestant's Exhibit No. 20½."

Q. Will you now produce the exhibit prepared for the eighth precinct of the Sixth Ward?—A. I will.

Q. And also the corresponding box of returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was the exhibit that you have just produced, relating to the eighth precinct of the Sixth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the two boxes you have just produced relate to this exhibit you have just produced?—A. Yes, sir.

We now offer in evidence the exhibit you have just produced, relating to the eighth precinct of the Sixth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 21," and the corresponding boxes of returned registered letters "Contestant's Exhibits Nos. 21½ and 21¾."

Q. I now ask you to produce the exhibit prepared for the twelfth precinct of the Sixth Ward.—A. It is here.

Q. And also the corresponding box of returned registered letters relating to this exhibit.—A. Also here.

Q. Was this exhibit produced by you, which relates to the twelfth precinct of the Sixth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to this exhibit?—A. Yes, sir.

I now offer in evidence the exhibit just produced by the witness, relating to the twelfth precinct of the Sixth Ward, and ask the notary to mark the same "Con-

testant's Exhibit No. 22," and the corresponding box of returned registered letters "Contestant's Exhibit No. 22½."

Q. Will you now produce the exhibit prepared for the twelfth precinct of the Seventh Ward?—A. I will.

Q. Also the corresponding box of returned registered letters relating to this exhibit?—A. I will.

Q. Was this exhibit which you have just produced, relating to the twelfth precinct of the Seventh Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to the exhibit that you have just produced?—A. Yes, sir.

We now offer in evidence the exhibit just produced, relating to the twelfth precinct of the Seventh Ward, and ask the notary to mark the same "Contestant's Exhibit No. 23," and the corresponding box containing the returned registered letters "Contestant's Exhibit No. 23½."

Q. I now ask you to produce the exhibit prepared for the fifth precinct of the Thirteenth Ward?—A. Yes, sir.

Q. And also ask you to produce the box containing the returned registered letters relating to this exhibit?—A. Also here.

Q. Was the exhibit relating to the fifth precinct of the Thirteenth Ward, which you have just produced, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Are the returned registered letters contained in the box which you have also just produced the ones relating to the exhibit you have also just produced?—A. Yes, sir.

We now offer in evidence the exhibit relating to the fifth precinct of the Thirteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 24," also the box of returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 24½."

Q. I will now ask you to produce the exhibit prepared for the sixth precinct of the Thirteenth Ward?—A. It is here.

Q. Also the box of returned registered letters relating to this exhibit?—A. Also here.

Q. Was the exhibit just produced and which relates to the sixth precinct of the Thirteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Are the returned registered letters contained in the box which you have also just produced the ones relating to the exhibit which you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit you have just produced relating to the sixth precinct of the Thirteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 25," and also the corresponding box of returned registered letters relating to the same, and ask the notary to mark the same "Contestant's Exhibit No. 25½."

Q. I now ask you to produce the exhibit prepared for the seventh precinct of the Thirteenth Ward?—A. It is here.

Q. Also the box of returned registered letters relating to this exhibit?—A. Also here.

Q. Was the exhibit which you have just produced and which relates to the seventh precinct of the Thirteenth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence this exhibit relating to the seventh precinct of the Thirteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 26," and also offer in evidence the corresponding box of returned registered letters, and ask that it be marked "Contestant's Exhibit No. 26½."

Q. I now ask you to produce the exhibit prepared for the twelfth precinct of the Thirteenth Ward?—A. It is here.

Q. Also the box containing the returned registered letters relating to this exhibit?—A. Also here.

Q. Was the exhibit, which you have just produced and which relates to the twelfth precinct of the Thirteenth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, relating to the twelfth precinct of the Thirteenth Ward, and ask that it be marked "Contestant's Exhibit No. 27;"

and also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 27½."

Q. I now ask you to produce the exhibit prepared for the first precinct of the Fourteenth Ward?—A. It is here.

Q. Also the box containing the returned registered letters relating to this exhibit?—A. Yes, sir; that is here.

Q. Was the exhibit which you have just produced and which relates to the first precinct of the Fourteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, relating to the first precinct of the Fourteenth Ward and ask that it be marked "Contestant's Exhibit No. 28." And I also offer in evidence the box containing the registered letters corresponding to this exhibit, and ask that it be marked "Contestant's Exhibit No. 28½."

Q. I now ask you to produce the exhibit prepared for the second precinct of the Fourteenth Ward?—A. That is here.

Q. And also to produce the box containing the returned registered letters corresponding to this exhibit?—A. Also here.

Q. Was the exhibit thus prepared, which relates to the second precinct of the Fourteenth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to the exhibit that you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced relating to the second precinct of the Fourteenth Ward, and ask that it be marked "Contestant's Exhibit No. 29." And also offer in evidence the box containing the returned registered letters and ask that it be marked "Contestant's Exhibit No. 29½."

Q. I now ask you to produce the exhibit prepared for the third precinct of the Fourteenth Ward?—A. They are here.

Q. Also the two boxes containing the returned registered letters which relate to this exhibit.—A. They are also here.

Q. Was the exhibit which you have just produced and which relates to the third precinct of the Fourteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the two boxes which you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the third precinct of the Fourteenth Ward, and ask that it be marked "Contestant's Exhibit No. 30." And also offer in evidence the two boxes containing the returned registered letters relating to this precinct, and ask that they be marked "Contestant's Exhibits Nos. 30½ and 30¾."

Q. I now ask you to produce the exhibit prepared for the fourth precinct of the Fourteenth Ward?—A. It is here.

Q. Also to produce the two boxes containing the returned registered letters which relate to this exhibit.—A. They are here.

Q. Was the exhibit just produced, which relates to the fourth precinct of the Fourteenth Ward, prepared in the same manner as that of the first precinct of the Fourth ward?—A. Yes, sir.

Q. Do the letters contained in the two boxes which you have just produced relate to the exhibit that you have also just produced?—A. Yes, sir.

We now offer in evidence the exhibit just produced, which relates to the fourth precinct of the Fourteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 31." Also offer in evidence the two boxes containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibits Nos. 31½ and 31¾."

Q. I now ask you to produce the exhibit prepared for the fifth precinct of the Fourteenth Ward?—A. That is here.

Q. Also to produce the box of returned registered letters which relate to this exhibit?—A. Also here.

Q. Was the exhibit just produced and which relates to the fifth precinct of the Fourteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the fifth precinct of the Fourteenth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 32." I also offer in evidence the box containing the returned registered

letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 32½."

Q. Will you now produce the exhibit prepared for the sixth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was the exhibit just produced and which relates to the sixth precinct of the Fourteenth Ward, prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced and which relates to the sixth precinct of the Fourteenth Ward and ask the notary to mark the same "Contestant's Exhibit No. 33." And I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 33½."

Q. Will you now produce the exhibit prepared for the seventh precinct of the Fourteenth Ward?—A. I will.

Q. Also the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was the exhibit just produced and which relates to the seventh precinct of the Fourteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters, contained in the box which you have just produced, relate to the exhibit which you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the seventh precinct of the Fourteenth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 34." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 34½."

Q. Will you now produce the exhibit prepared for the eighth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. Will you also produce the two boxes relating to this exhibit?—A. Yes, sir.

Q. Was the exhibit just produced and which relates to the eighth precinct of the Fourteenth Ward prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the two boxes you have just produced relate to this exhibit?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the eighth precinct of the Fourteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 35." I also offer in evidence the two boxes containing the returned registered letters relating to this precinct, and ask that the notary mark the same "Contestant's Exhibits Nos. 35½ and 35¾."

Q. I now ask you to produce the exhibit prepared for the tenth precinct of the Fourteenth Ward?—A. It is here.

Q. I also ask you to produce the box containing the returned registered letters which relate to this exhibit?—A. Also here.

Q. Was this exhibit just produced prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to this exhibit?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the tenth precinct of the Fourteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 36." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 36½."

Q. Will you produce the exhibit prepared for the eleventh precinct of the Fourteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters which relate to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the letters contained in the box you have just produced, relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the eleventh precinct of the Fourteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 37." I also offer in evidence the box containing the returned reg-

istered letters relating to this exhibit, and ask that the notary mark it "Contestant's Exhibit No. 37½."

Q. Will you now produce the exhibit prepared for the first precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this precinct?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I will now offer in evidence the exhibit just produced, which relates to the first precinct of the Fifteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 38." I also offer in evidence the box containing the returned registered letters relating to this exhibit and ask the notary to mark the same "Contestant's Exhibit No. 28½."

Q. Will you now produce the exhibit prepared for the sixth precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters which relate to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. And do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the sixth precinct of the Fifteenth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 39." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 39½."

Q. Will you now produce the exhibit prepared for the ninth precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to this exhibit?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the ninth precinct of the Fifteenth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 40." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 40½."

Q. Will you now produce the exhibit prepared for the tenth precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the tenth precinct of the Fifteenth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 41." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 41½."

Q. Will you now produce the exhibit prepared for the eleventh precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to this exhibit you have also just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the eleventh precinct of the Fifteenth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 42." I shall offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 42½."

Q. Will you now produce the exhibit prepared for the first precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in this box relate to this exhibit?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the first precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 43." And I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 43½."

Q. Will you now produce the exhibit prepared for the third precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this precinct?—A. Yes, sir.

Q. Was the exhibit you have just produced prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have also just produced?—A. Yes, sir.

I will now offer in evidence the exhibit just produced, which relates to the third precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 44." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 44½."

Q. Will you produce the exhibit prepared for the fifth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the two boxes containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was the exhibit which you have just produced prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the two boxes which you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the fifth precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 45." I also offer in evidence the two boxes just produced, containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit Nos. 45½ and 45¾."

Q. Will you now produce the exhibit prepared for the seventh precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the seventh precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 46." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestants Exhibit No. 46½."

Q. Will you now produce the exhibit prepared for the ninth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Also to produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, relating to the ninth precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 47." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 47½."

Q. Will you now produce the exhibit prepared for the eleventh precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters which relate to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the eleventh precinct of the Twenty-second Ward, and ask the notary to mark the same "Contestant's Exhibit No. 48." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 48½."

Q. I now ask you to produce the exhibit prepared for the twelfth precinct of the Twenty-second Ward.—A. Yes, sir.

Q. I also ask you to produce the box containing the returned registered letters relating to this exhibit.—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to twelfth precinct of the Twenty-second Ward, and ask that the same be marked "Contestant's Exhibit No. 49." I also offer in evidence the box containing the returned registered letters relating to this exhibit and ask that it be marked "Contestant's Exhibit No. 49½."

Q. Will you now produce the exhibit prepared for the thirteenth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the thirteenth precinct of the Twenty-second Ward, and ask that the same be marked "Contestant's Exhibit No. 50." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 50½."

Q. Will you produce the exhibit prepared for the first precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the first precinct of the Twenty-third Ward, and ask the notary to mark the same "Contestant's Exhibit No. 51." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 51½."

Q. Will you now produce the exhibit prepared for the second precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the second precinct of the Twenty-third Ward, and ask the notary to mark the same "Contestant's Exhibit No. 52." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that the notary mark the same "Contestant's Exhibit No. 52½."

Q. Will you now produce the exhibit prepared for the third precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the third precinct of the Twenty-third Ward, and ask the notary to mark the same "Contestant's Exhibit No. 53." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 53½."

Q. Will you now produce the exhibit prepared for the fourth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box which you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit which relates to the fourth precinct of the Twenty-third Ward, and ask that the same be marked "Contestant's Exhibit No. 54." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 54½."

Q. Will you now produce the exhibit prepared for the sixth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

Now I will offer in evidence the exhibit just produced, which relates to the sixth precinct of the Twenty-third Ward, and ask that the same be marked "Contestant's Exhibit No. 55." I will also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 55½."

Q. Will you now produce the exhibit prepared for the seventh precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the seventh precinct of the Twenty-third Ward, and ask that the same be marked "Contestant's Exhibit No. 56;" and I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 56½."

Q. Will you now produce the exhibit prepared for the ninth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the ninth precinct of the Twenty-third Ward, and ask that the same be marked "Contestant's Exhibit No. 57." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 57½."

Q. Will you now produce the exhibit prepared for the twelfth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct for the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the twelfth precinct of the Twenty-third Ward, and ask that the same be marked "Contestant's

Exhibit No. 58." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 58½."

Q. I now ask you to produce the exhibit prepared for the thirteenth precinct of the Twenty-third Ward.—A. Yes, sir.

Q. I also ask you to produce the two boxes containing the returned registered letters which relate to this exhibit.—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the two boxes which you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the thirteenth precinct of the Twenty-third Ward, and ask the notary to mark the same "Contestant's Exhibit No. 59." I also offer in evidence the two boxes containing the returned registered letters which relate to this exhibit and ask that the notary mark the same "Contestant's Exhibit No. 59½ and 59¾."

Q. Will you now produce the exhibit prepared for the first precinct of the Twenty-fourth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the first precinct of the Twenty-fourth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 60." and I also offer in evidence the box containing the returned registered letters relating to this exhibit and ask that the notary mark the same "Contestant's Exhibit No. 60½."

Q. Will you now produce the exhibit prepared for the eleventh precinct of the Twenty-fourth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, relating to the eleventh precinct of the Twenty-fourth Ward, and ask that the notary mark the same "Contestant's Exhibit No. 61." I also offer in evidence the box just produced, containing the returned registered letters relating to this exhibit, and ask that it be marked "Contestant's Exhibit No. 61½."

Q. Will you now produce the exhibit prepared for the twelfth precinct of the Twenty-fourth Ward?—A. Yes, sir.

Q. Will you also produce the box containing the returned registered letters relating to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit which relates to the twelfth precinct of the Twenty-fourth Ward, and ask that the same be marked "Contestant's Exhibit No. 62." I also offer in evidence the box containing the returned registered letters relating to this exhibit and ask that it be marked "Contestant's Exhibit No. 62½."

Q. I will now ask you to produce the exhibit prepared for the thirteenth precinct of the Twenty-fourth Ward.—A. Yes, sir.

Q. I also ask you to produce the box containing the returned registered letters relating to this exhibit.—A. Yes, sir.

Q. Was the exhibit which you have just produced prepared in the same manner as the one of first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box just produced relate to the exhibit just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the thirteenth precinct of the Twenty-fourth Ward, and ask the notary to mark the same "Contestant's Exhibit No. 63." I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark the same "Contestant's Exhibit No. 63½."

Q. Will you now produce the exhibit prepared for the first precinct of the Twenty-fifth Ward?—A. Yes, sir.

Q. Will you also produce the box which contains the returned registered letters which relate to this exhibit?—A. Yes, sir.

Q. Was this exhibit prepared in the same manner as that for the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Do the returned registered letters contained in the box you have just produced relate to the exhibit you have just produced?—A. Yes, sir.

I now offer in evidence the exhibit just produced, which relates to the first precinct of the Twenty-fifth Ward, and ask that the same be marked "Contestant's Exhibit No. 64." And I also offer in evidence the box containing the returned registered letters relating to this exhibit, and ask the notary to mark it "Contestant's Exhibit No. 64½."

Mr. KINSEY. Counsel for contestant desires to state that in offering the 75 boxes containing the returned registered letters, which have been marked as exhibits heretofore, that it is the purpose in thus making the offer to offer the letters contained in said boxes, and that at the conclusion of the testimony to be taken to-day the notary will be requested to securely fasten said boxes before they are forwarded to the Clerk of the House of Representatives.

Mr. FRUMBERG. The attorney for the contestee desires to interpose an objection to the introduction of these various exhibits in evidence on the ground as stated by Mr. Rowe at the commencement of this examination, which is as follows: That this is not in rebuttal, and because the contestee will not have an opportunity to produce evidence to meet it.

Mr. KINSEY. Mr. Owen, I want to ask you one or two other general questions relating to these 64 exhibits which have just been offered in evidence, and which were prepared, as you stated this morning, at the beginning of your testimony, by a number of clerks under your direct supervision and control. I notice that there is attached to each one of these exhibits an affidavit, and that the same person does not certify by affidavit to the correctness of the entire number of exhibits. Will you explain why some of the affidavits have the signature of one person and others have the names of other persons?

(Objected to on the ground that the affidavits as offered speak for themselves.)

A. Different people did the different work in these precincts.

Q. So that each man who did the work verified the correctness of his own work by his affidavit?—A. Yes, sir.

(Same objection.)

Q. I notice in examining these affidavits attached to these exhibits that the persons who signed the same did not verify the information contained in the last two columns of the exhibits; that is to say, the two columns which call for the number of the ballot and the person voted for.

(Objected to on the ground that the alleged information offered in the exhibit speaks for itself.)

A. They didn't do it in all cases.

Q. From what source was the information obtained which is found in the last two columns of all of these exhibits; that is to say, information as to the number of the ballot and for whom voted?

(Objected to on the ground that the affidavit explains the nature of the information and the manner in which the information was gathered.)

Mr. KINSEY. It doesn't explain the manner in which the information was gathered as to these two columns.

A. From the carbon copy of the testimony taken in the election commissioners' office by the contestant. In other words, from a copy of the poll books and a recount of the ballots.

Q. In other words, then, the information contained in these two columns is to be found verified in the depositions that were taken at the election commissioners' office when the recount of the ballots took place and copies of the poll books were made?—

A. Yes, sir.

Q. Mr. Owen, were you furnished by me with a carbon copy of the testimony taken at the city hall in this case by the contestant, in which was contained a copy of the poll books and the number of each ballot cast in the 64 precincts, which we have just gone over, the person for whom it was cast, and the initials, if any, appearing upon the ballot?—A. Yes, sir.

Q. Were you directed to make an abstract of that testimony with a view of showing the number of the ballots cast for each one of the candidates for Congress for the short term, and also showing that any voter voted two or more times whenever that occurred; also showing the result of the facts disclosed in the 64 exhibits accompanied by the boxes of returned registered letters, which have just been offered in

evidence, with a view of arriving at the result of that election as between the contestant, Mr. Wagoner, and the contestee, Mr. Butler?

Mr. FRUMBERG. The attorney for the contestee desires to object to this question on the ground that the ballots cast by the respective voters are now a matter of evidence in this case, having been offered and introduced by the contestant, and are now exhibits in this case, and also the records showing the manner in which these votes were cast, the person casting the same, being also in evidence as exhibits in this case—all of which is the best evidence. The question is therefore incompetent.

Mr. KINSEY. The question propounded to the witness was whether he had made an abstract of the testimony showing the facts as disclosed by the testimony, and was not asked with a view of eliciting any new testimony in the case.

Mr. FRUMBERG. The inference obtained by the attorney for the contestee from that question is that a certain state of affairs existed which there is no evidence to support.

A. Yes, sir.

Q. Now, will you hand the abstract to me as prepared for the first precinct of the Fourth Ward, Mr. Owen?—A. Yes, sir.

Q. You have just handed to me, Mr. Owen, what, for a better name, I will call an exhibit, consisting of five pieces of ruled paper on which there is writing with pen and ink and having a cover headed "Recapitulation, Ward 4, Precinct 1." Now, will you state in your own language what this exhibit or paper is?—A. Yes; it is a recapitulation of all the votes cast in the first precinct of the Fourth Ward, accounting for every vote that is entered on the poll book for that precinct. It also shows the names as printed on the registration list.

Mr. FRUMBERG. I object to the question on the ground that the poll books speak for themselves, and the registration books speak for the registration. The question is incompetent, and we desire to protest that this instrument, purporting to be an official list, as stated by the attorney for the contestant, is not so, and the only official list in existence and recognized as such by the statutes of the State of Missouri, and testified to as being such by Election Commissioners McCaffery, Wood, and Aloe, Mr. Aloe being the Republican member of the board of election commissioners of the city of St. Louis, is at the city hall.

Mr. KINSEY. I don't desire to have you state, Mr. Owen, in detail what this work is, further than to explain the source of the information that is contained in this so-called exhibit, and I will ask you from what source the information contained in this exhibit was obtained?—A. From the carbon copy of the testimony taken in the election commissioners' office by the contestant and given to me by you, in a measure.

Q. From what other sources of evidence in this case was the information contained in these sheets obtained?

Mr. FRUMBERG. We desire to interpose another objection to this line of investigation on the ground that it is wrong in principle. In these latter days examination is only allowed to continue for the purpose of introducing evidence in rebuttal to the direct evidence adduced in this case, and that this evidence attempted to be introduced at this time is absolutely in no wise in rebuttal, but it is direct evidence, and as such is incompetent and irrelevant. And the information sought to be elicited by the introduction of this evidence is based upon testimony already in evidence and obtained by the direct taking of testimony on the part of the contestant.

Mr. KINSEY. To relieve the mind of the counsel for contestee of the apparent misapprehension, I desire to say that the exhibit already prepared and now before the witness is not offered as evidence or intended to be offered as evidence of any new fact in the case, but is based wholly upon evidence already in the case; has been prepared as a convenient means of referring to the evidence already in the case, and can be verified by a reference to the evidence. If not correct, its incorrectness can thereby be at once disclosed, and is intended as a convenient abstract of the testimony to be printed with the record in this case, as part of the contestant's case. Its correctness must stand or fall upon the testimony that has already been offered, and I repeat that it is not introduced here as new testimony, but only for convenience and as an abstract of the testimony already offered. The purpose of the inquiry of the witness is simply to disclose in the record how it was prepared and how it may be verified by anyone who may question it, by reference to the testimony.

Mr. FRUMBERG. This is not the proper time when matters of this kind should be referred to. Such matters which arise in rebuttal are proper matters to be introduced at this time.

Q. I don't remember, Mr. Owen, just the purport of the last question I asked you, and I will pass that by and ask you another. Are the sheets which you have just produced and which have been verified an abstract of the testimony in this case from the standpoint of the contestant?—A. In some instances.

Q. Would you say in what instances?

(Objected to, as all this testimony is not proper matter to be introduced in rebuttal.)

A. In some instances there are ballots objected to here for the reason that the name of the voter does not appear on the official printed registration list for the precinct. In some instances the counting of the ballot is objected to for the reason that the voter can not be reached by registered letter at the address given on the printed list.

Q. What other reasons?—A. The next reason is votes objected to on account of the ballots having none of the judges' initials; votes objected to on account of ballots having but one of the judges' initials. In other cases that the counting of the ballot is objected to the number of the ballot is counted out.

Mr. FROMBERG. All of this information is derived by you from an examination of the carbon copy of the testimony taken at the election commissioners' office in the direct examination, except these two?—A. The greater part of it comes from these two which are not in the carbon copy.

Mr. KINSEY. Are there not certain facts stated in this so-called exhibit, also certain conclusions drawn from the facts so stated?—A. Yes, sir.

Q. Now, from what sources are the facts obtained as stated in this exhibit? For instance, you say here at the top of this first page Poll Herbert, 208 Chestnut street, voted for Noone.—A. Yes, sir.

Q. Where did you get that information?—A. From the carbon.

Q. And whenever the ballot number is given and the name of the person for whom voted you obtained that information from the carbon copy of the testimony taken?—A. Yes, sir.

Q. Now, in addition to the carbon copy of the testimony, did you get any of the facts that are stated in this so-called abstract from the return of the registered letters?—A. Yes, sir.

Q. Did you get any of the facts that are stated in here from the statements contained in the exhibits which have just been introduced as part of your testimony, referring not only to the registered letters, but to this abstract which is before you, is in so far as the facts stated in it are concerned, is taken from the testimony which has been offered in this case?—A. Yes, sir.

Q. And in so far as the conclusions are stated in this abstract from the testimony as to whether a vote should or should not be counted, those conclusions are based upon the opinion of counsel for the contestant and yourself?—A. Yes, sir.

Mr. WALSH. Of course, we will object to any conclusions by the contestant or by this witness on any material facts. We object to the introduction of any abstract of evidence which states conclusions of counsel for contestant or of any witnesses, for the reason that the abstract is based upon testimony which was taken during the fifteen days which contestant expressly stated was sufficient for him to take direct evidence, and is not as evidence in rebuttal of anything contestee has presented.

By Mr. KINSEY:

Q. Mr. Owen, has there been prepared under your direct supervision and control an abstract of the evidence in this case in so far as it relates to the 64 precincts mentioned to-day, together with the conclusions drawn from that testimony by counsel for contestant, in a concise and brief form, as the paper now before you?—A. Yes, sir.

Q. And the source of information so far as the facts stated are concerned consists of the carbon copy of the testimony taken by the contestant at the city showing the number of each ballot counted, the initial, if any, on the ballot, the person for whom voted, and a copy of the certain poll books in the 64 precincts?—A. Yes, sir.

Q. And in addition to that the abstract is based on returned registered letters about which you have testified already to-day?—A. Yes, sir.

Q. The checking of the names contained on the printed list of the registration books against Gould's St. Louis Directory for the year 1902?—A. Yes, sir.

Q. And the conclusions or objections made to particular votes is based upon the evidence from the contestant's view of the evidence, and each ballot objected to is indicated in the abstract by its number?—A. Yes, sir.

Q. And that is so done that the ballot itself can be referred to by its number?—A. Yes, sir.

Q. And the whole of the abstract and the conclusions drawn from the facts is subject to verifications by reference to the testimony in this case?—A. Yes, sir.

Q. I will ask you whether in making this abstract you were directed to treat the contestant, Mr. Wagoner, and the contestee, Mr. Butler, alike so far as the objection to the ballot was concerned?—A. Yes, sir.

Mr. WALSH. We object to a statement of that kind from a partisan witness.

Q. Your statement in reference to the abstract which is now before you, Mr. Owen, and which relates to the first precinct of the Fourth Ward, is true of the other 63 abstracts, which you have made relating to the 64 precincts referred to in this case to-day while you have been on the witness stand?—A. Yes, sir.

Q. Have you now in your custody the 64 abstracts to which you have referred?—A. Yes, sir.

Q. Then I ask the notary to mark each one of these exhibits, 64 in number, "Contestant's abstract of testimony and conclusions drawn therefrom," and that he forward them along with the testimony which he has taken to the Clerk of the House of Representatives with that testimony, marking them Nos. 1 to 64, inclusive. And I produce them all.

Mr. WALSH. We object to the notary making any statement on them other than the exhibit statement. He is not a witness.

Q. Now, Mr. Owen, will you produce now the 64 abstracts about which you have testified and surrender them to the notary to mark and forward, as requested by counsel for the contestant?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. Mr. Owen, you are the committeeman from the Sixth Ward of the Republican party?—A. Yes, sir.

Q. And have been for some time occupying a similar position?—A. Yes, sir.

Q. You were also the manager of the Twelfth Congressional committee during the Horton campaign?—A. No, sir.

Q. What position did you hold in that committee?—A. Chairman of the committee.

Q. The campaign was conducted by your committee?—A. By the executive committee.

Q. You have always been an active Republican—what might be called a partisan Republican?—A. Yes, sir.

Q. You can see very little favorable in Democracy?—A. Politically speaking, very little.

Q. And your views are in a way based largely with reference to Democrats on your Republican affiliations?—A. Personally the best friends I ever had in my life are Democrats. Politically I am a Republican.

Q. And do everything you can to secure for your party what they desire?—A. That is honest and fair.

Q. In making this examination—this review, this letter campaign—did you personally send out the letters that were sent out?—A. No, sir.

Q. How were they sent out?—A. The envelopes were addressed by the Western Addressing Company, and then they were checked.

Q. Did you personally see that they were checked?—A. No, sir.

Q. Who did?—A. My men.

Q. Of your own knowledge you could not say that any of these letters were correctly addressed?—A. Personally I know of no great number; I may know of a few. I may have compared a few with the men.

Q. In that connection you were in charge of the force sending out the letters, not one of the active members sending out the letters?—A. The letters were addressed as I said before. The envelopes were addressed by the Western Business Addressing Company, located at 506 Olive street. They were turned over to me by Mr. Wagoner, and I put men to work with the printed lists. And they were stamped and sent out.

Q. So that their most active part in sending out the letters was the stamping of the letters?—A. No, sir; the most important part was the comparing.

Q. What did they compare the letters with?—A. Printed list.

Q. Were they official?—A. So far as I now remember.

Q. Do you know whether the list of the seventh precinct of the Fourth Ward, marked "Exhibit A," filed with an affidavit of Charles Conrad in connection with this case, was an official list of the registered voters of the seventh precinct of the Fourth Ward?—A. I don't recall that particular case, but I suppose it was.

Q. Do you know where George C. R. Wagoner lives?—A. Wagoner—I suppose he lives at 1127 Olive street.

Q. What is there at 1127 Olive street to make you believe Mr. Wagoner lives there?—A. There is an undertaking place there, and a lot of bedrooms upstairs—three bedrooms upstairs with beds in them.

Q. How many beds?—A. Seven or eight, I think. Let's see—one room has three—I am not positive about that; I guess there are six beds in the rooms. We used the rooms when we went up there to work. Two of them are still bedrooms.

Q. There is no kitchen or dining room there?—A. No, sir.

Q. Nothing to indicate Mr. Wagoner lives there other than those beds?—A. No, sir.

Q. You have been there for quite a while?—A. Yes, sir; for seven weeks.

Q. What was the date that you actually went there to work?—A. I commenced to work up there seven weeks ago last Thursday; what date it was I don't know.

Q. That was on the 11th of December?—A. I think it was about that time. We commenced seven weeks ago last Thursday.

Q. What hours have you spent there?—A. Began at 8 o'clock in the morning. Some nights got away at 9, some nights at 6, and some nights at 12.

Q. Those nights that you got away at 12—what were the arrangements of those bedrooms—did you have to pass through the bedrooms to leave the place?—A. No, sir; two of the rooms are in the front part of the building. There are two beds in the front room and three in the rear. They are both front rooms; one had two, and one had three.

Q. Did you see any women living there?—A. No; I seen a woman around there cleaning up.

Q. But she is not Mr. Wagoner's wife?—A. Oh, no; I guess not.

Q. You know Mr. Wagoner's family does not live there?—A. Yes, sir.

Q. Because there are two beds in one room and three in the other—A. Yes, sir; there are rooms up on the third floor, but I don't know what's up there.

Q. But these rooms on the second floor are the choice rooms of the place?—A. I should judge so. I didn't say that his wife lives there or that he lives there.

Q. There was nothing to indicate that George C. R. Wagoner lived there on the 11th day of December?—A. I won't say that.

Q. There is nothing to indicate that he has lived there any time since?—A. I don't know if he sleeps there; I really don't believe that he lives there, if that is what you want to know.

Q. In sending out these letters what was the method used after they had been stamped and compared?—A. They were compared first, then stamped and bundled up according to precincts—each precinct to itself; and before it was put in the mail I had a little stamp prepared giving the ward and precinct on each letter. Each letter was stamped with that stamp according to the precinct that the addressee lived in. That was done to facilitate matters. Then they were put into the United States mail.

Q. Did you put them in there?—A. No, sir.

Q. You don't know that they were put in there?—A. No, sir.

Q. Never actually deposited one in the mail or any post-office?—A. No, sir; my men took them down and brought back the receipts.

Q. Have you the receipts on file?—A. Yes, sir.

Q. Whom did you receive the receipts from?—A. I think they are signed by a clerk in the registry division—W. B. Kahler, I think.

Q. Have you ever been employed in the post-office, Mr. Owen?—A. No, sir.

Q. Are you acquainted with Mr. Smith, of the registry division?—A. Yes, sir.

Q. Did you have any conversation with him in reference to these letters with reference to their return?—A. I think I did, but I am not certain of that.

Q. You can't recall what that conversation was?—A. Well, if I had any conversation with him, I had a conversation with somebody in the post-office about the return of them. They were a little bit slow in returning them. I think I telephoned down there. Whether I telephoned to the main office or telephoned to the superintendent of the registry division, I don't know. The envelope has a card on it, "If the addressee is not in, return at once."

Q. Do you know anything about the rules of the delivery of registered letters?—A. Only what I have heard.

Q. What have you heard?—A. I have heard that the postal laws provide that the carrier is to deliver a registered package to the addressee only or to some member of his family who has authority to receipt for it.

Q. Do you know whether there is any method by which any person can be informed as to whether there is a letter in waiting for him at the post-office?—A. My understanding of the law is that the carrier is instructed to make two attempts at getting a personal delivery to the addressee or the person of his family who has authority to sign for him, and if he is unable after those two attempts to make the delivery he leaves a card at this place notifying this addressee that there is a registered package at such a post-office or substation addressed to him, and for him to call at the post-office or substation and get the package. That's my understanding.

Q. Now, in connection with the letters that you were sending out. You put on the letter, "Return in two days?"—A. Yes, sir.

Q. So that the letter, if mailed by you on the 3d, should have been returned to you on the 6th?—A. Yes; it should be returned on the 6th.

Q. So that the letter mailed on the 3d the carrier would have on the 4th and carry around in an effort to find the party, and on the 5th the letter would be left at the post-office for the party to call at the post-office. If the party failed to call for it at the post-office, on the 6th it was returned to you and the party had no opportunity to call and get it?—A. They were not all returned to me; it was fully two weeks before I got them back.

Q. I will ask you to get back letter 23856, Ward 5, precinct 9.—A. I can't tell anything about how long.

Q. Doesn't that letter show the date on which it was mailed? Did the card show the date on which it was returned to you?—A. The letter will show the day on which it was returned, but I don't know when it was returned.

Q. So that if the letter was returned to you within two days you have no way of proving that?—A. No way of telling whether it came in two days or ten days.

Q. I will ask you whether or not you have the letter addressed to William Froelick, 400 South Second street, that being in the second precinct of the Fifth Ward?—A. I have no letters in my possession now.

Q. Those that you have introduced in evidence?—A. They are in evidence. I don't know whether there is one there for him or not.

Q. I will ask you to find if there is any for him—William Froelick, 400 South Second street?—A. If his name is on the printed list, he had one mailed to him.

Q. I will ask you if it was returned to him?—A. I don't know; these letters are not in my possession.

Q. I will ask the notary to produce the letter addressed to William Froelick, 400 South Second street.

(Box produced.)

WITNESS. There is no letter here for William Froelick, 400 South Second street; none written up.

Q. What is that notation on that sheet—the opening, the top sheet of the outside?—A. William Froelick is not in the 1902 directory at that address.

Q. Do you know when the names were secured for the 1902 directory?—A. About this time of the year; about January, 1902.

Q. So that Mr. Froelick may have been a resident of 400 South Second street in February, 1902, without the knowledge of the directory people?—A. Yes, sir.

Q. Now, in spite of that fact, Mr. Owen, you knowing that the directory of 1902 could not be depended on, you used that as part of the method of discovering whether or not the various persons were residents of the places mentioned on the printed sheet?—A. There is no name mentioned on this sheet.

Q. Now, you have frequently brought that fact out that the names of the various persons where there is a notation in front of their names can not be found in the 1902 directory. Do you mean to intimate that they are not there?—A. Only when the letter fails to reach the given address.

Q. So that the St. Louis Directory, or the Gould Directory, you do not consider to be most reliable?—A. Only secondary.

Q. Secondary, and may be further than that when it comes to recording persons; reliability secondary?—A. Well, the object in checking was to prove that the people did not live there in January, 1902.

Q. What was the name of the person who rented the registered box, Mr. Owen?—A. I did.

Q. In your own name?—A. Yes, sir.

Q. Did you at that time tell Mr. Smith that you wanted those letters returned immediately when the carrier failed to get a delivery?—A. No, sir; there is a two-day card.

Q. Now, then, if Mr. Smith testified to that, is he mistaken?—A. Yes, sir.

Q. If he has testified that that was the manner followed by the post-office authorities in connection with these letters, he is mistaken on that?—A. Yes, sir; so far as any request from me is concerned.

Q. Did you rent the box in your name?—A. Yes, sir.

Q. So that if Mr. Smith says that the box was rented in some long Jewish name with orders to turn the letters over to bearer, he is mistaken?—A. The box was rented by me and paid for in my name.

Q. What were the instructions that you referred to with reference to the return of the letters?—A. After the two days had expired, and after a week had expired, I told Mr. Smith after the time on that card had expired I wanted those letters returned. The return card was for two days, but I believe it was a week before I sent any message to the post-office.

Q. Would it have been possible for anyone else to secure those letters other than yourself?—A. Oh, yes; I sent down there for them. I don't think I got any myself.

Q. Now, if Mr. Smith states that those letters were returned immediately to the

box you rented, or the box which the order called for, immediately upon the return of the carrier to the office with the registered letter, is he mistaken on that point?—A. He is mistaken if he says I made any such request. I suppose the postal laws govern the delivery of those letters.

Q. Possibly your connection with your party might—A. I am not in very good odor at the post-office.

Q. Your brother-in-law holds quite an important position there?—A. The same as Johnny Butler's brother-in-law holds.

Q. In your connections you stand as well as anyone else around the post-office?—A. I am not sitting up at nights thinking about Baumhoff; I know that.

Q. The city election officials recognize your position in the party?—A. I don't know; I don't go around much.

Q. But when you do you find a great many persons know you in official positions?—A. I can say that. I know the superintendent of the registered division.

Q. Mr. Smith?—A. Yes, sir.

Q. Any suggestions you make to Mr. Smith would be carried out as near as he could do so?—A. I don't think anything I could say to Mr. Smith of sufficient importance to count for anything at all. The card on the letter said they should be returned.

Q. Mr. Halter, will you produce the seventh precinct of the Fifth Ward? Have you your list so arranged so that you can turn to the Imperial Theater Building—James P. Cunningham? What is your check?—A. Not in the city directory at that address. No letter written up here for him.

Q. You know Mr. Cunningham, ordinarily known as Johnny?—A. I know one Cunningham.

Q. Do you know James Cunningham, who is known as "Little Jim"?—A. No, sir.

Q. What entry have you for William H. Donaldson, 918 Pine street?—A. Not in the 1902 directory at that address.

Q. See whether you addressed a letter to him.—A. There is a letter addressed to him, certainly. You want to know if there is a return?

Q. Yes.—A. No returned letter.

Q. What reference have you to William H. Donaldson; anything at all?—A. Nothing at all, except on the opposite side of the sheet that he is not in the directory of 1902 at that address. Probably he has got his letter.

Q. Have you got receipt cards for every letter that was sent to the various parties in that precinct?—A. For every letter sent.

Q. Have you a receipt card showing where the parties received the letters?—A. Yes, sir.

Q. Mr. Halter, will you get the receipt cards?

The WITNESS. They are not in evidence.

Q. How many receipt cards did you say that you had?—A. 7,398 receipted for.

Q. 7,398 letters actually received?—A. Receipted for; yes, sir.

Q. Have you those receipt cards here?—A. Yes, sir.

Q. You say they do not form a portion of the evidence?—A. Yes, sir.

Q. Will you indicate where they are?—A. Yes, sir.

Q. In one of those boxes there?—A. Yes, sir.

Q. They have not been placed in evidence?—A. No, sir; they have not been placed in evidence.

Q. Will you produce those receipt cards?—A. I will if counsel says so.

Mr. KINSEY. Indicate what you want.

Mr. WALSH. I have asked for the receipt cards from the seventh precinct of the Fifth Ward with reference to James P. Cunningham and William H. Donaldson.

The WITNESS. The receipt cards are arranged numerically, not by wards and precincts. It would be almost an endless job to locate any particular card.

Q. Then you mean to say that you have so tabulated the letters as to make them easily secured, and so tabulated the cards as to make them almost impossible to be located?—A. I followed the instructions of counsel for this case.

Mr. WALSH. In other words, Judge Kinsey?

A. Yes, sir.

Q. I will ask you to produce the sheets of the eighth precinct of the Fourteenth Ward—2311 Eugenia street—James A. Carroll and J. W. Carroll.—A. James Carroll appears in the directory and J. W. Carroll does not.

Q. Henry and Robert Manion, from the same address?

The WITNESS. Give me the registered letter box, Mr. Halter, if you please.

(Box produced.)

A. Robert Manion, 2311 Eugenia street, not found; letter returned; No. 309; first notation on there is "refused." A notation made "card," which indicates that there was a card left. Second notation "not found." Henry E. Manion is marked twice and then scratched out; card left down there again.

Q. Who is John Breshere?—A. Is that the Jew name you were talking about?

Q. Yes.—A. Not guilty.

Q. Do you know when you had these letters returned to you from Henry E. Manion and Robert Manion?—A. I haven't the slightest idea.

Q. I will ask you to look at this "E," and ask you to say who inserted that notation?—A. I can't tell. I wish when you see a notation of this kind that it is done by men who compared these letters. I told them to make the letters compare with the printed slips, and in comparing it I suppose he found that the "E" was left out.

Q. What is this 148 that appears next to the name?—A. That's the ward and precinct.

Q. What do you say with reference to Robert Manion on your printed sheet?—A. As to its being in the directory or not?

Q. Yes.—A. Robert Manion does not appear in the directory at that address. Henry E. Manion does.

Q. If Henry E. Manion, according to your stamp, appears not in the directory, and Robert Manion appears in the directory, it is apparent that there has been a slight error.—A. Robert Manion in the directory and Henry E. Manion not in the directory—Henry E. has a dash, Robert has not.

Q. Then according to your check and the stamp on that letter, Robert Manion was in the directory and Henry E. Manion was not in the directory?—A. Henry E. Manion is not in the directory and Robert is.

Q. Now, you say, Mr. Owen, that these cards state when these letters should be returned—returned in two days. Does that appear on the envelope?—A. Yes, sir.

Q. I will ask you to look at that envelope and show me where it says "Return in two days."—A. I remember now I started to putting it down and changed this to "If not." I changed that.

Q. And in the lower left-hand corner of the envelope appears "If not in at this address, return at once?"—A. Yes, sir.

Q. Instructions then were not to return in two days, but to return at once?—A. Yes, sir.

Q. Those were the instructions that the department received in reference to these letters?—A. Just what's printed on there; yes.

Q. Now, was that printed memorandum in the lower left-hand corner designed as instructions to the carrier as to the return of the mail to you?—A. In the delivery of mail, as I understand it, if Robert Manion had lived at 2311 Eugenia street and had moved and this letter had been addressed to him, they would have it addressed to his address, and in order to avoid having these letters addressed to others than the ones given that is why the notation was put on there.

Q. So that the instructions were after an effort to find the party in, immediately the carrier was to return the letter?—A. Yes, sir; if they didn't live at that address.

At this point the further taking of depositions was adjourned to 7.30 p. m.

St. Louis, *January 31*—7.30 p. m.

Pursuant to adjournment as above stated, at the hour of 7.30 p. m., I continued the taking of said depositions as follows:

Cross-examination of J. B. OWENS, continued.

By Mr. WALSH:

Q. No. 108 South Garrison, Taaffe, T. J. What is your entry as to the residences there of Thomas L. and T. J. Taaffe?—A. "Not found in the directory."

Q. Will you see whether or not any letters were addressed to them or returned as not found, or for any reason returned?—A. No; no letter returned for them.

Q. Is there any check mark to indicate that a letter was sent to them?—A. Nothing further than that the letters were sent to all of them and compared before they were sent out. By that I mean everybody on this printed list.

Q. What is the name that appeared at 108 South Garrison?—A. Thomas L. Taaffe and T. J. Taaffe.

Q. Taffia?—A. Yes, sir.

Q. If you sent a letter to Thomas L. Taffia, and the person was Thomas Taaffe, would the letter carrier deliver it under those circumstances?—A. I couldn't tell you about that. I don't know what the letter carrier would do.

Q. Is there any correction from that as appears on printed list?—A. There is no way that I know of to ascertain that.

Q. No way to find that out?—A. No, sir.

Q. Your instructions to your clerks were to make out the address on the envelope of the registered letter with the name just exactly as it was printed on the printed list?—A. Yes, sir; must correspond with the printed list.

Q. John Sweeny, registered from 104 South Garrison avenue, "Not in the 1902 directory, number of letter carrier 537, number of registered letters 10632," marked "Removed." Do you know what day he removed from that address?—A. No, sir.

Q. You have no information as to that?—A. Nothing. That is all that appears on the letter, "Removed."

Q. Mr. Halter, will you get the letter No. 10632, Ward 23, precinct 4?

The WITNESS. Do you want me to look that up for you?

Mr. WALSH. Yes, sir.

The WITNESS. It is the second name, second letter. "John Sweeny, 104 South Garrison, not in the 1902 directory at this address. Letter 10632; removed. Carrier No. 537."

Q. This letter was mailed according to the postmark on what date?—A. December 18, 1902. I want to say I deposited these letters in the post-office on December 16 and 17, regardless of any marks that appear there.

Q. But we are depending entirely on the post-office mark?—A. I didn't want any conflict.

Q. That is something that you have stated you depend on entirely?—A. Yes, sir.

Q. So that the letter will speak for itself?—A. Yes, sir. I just didn't want to be contradicted on that point, that is all. It was registered the week before Christmas and probably in the rush of business we just delayed a day. That is the only way I could account for it.

Q. The 18th would be one week before Christmas?—A. Yes, sir. I say on account of the rush of Christmas work it was probably delayed a day in the post-office.

Q. John Taylor, 218 South Garrison avenue, is referred to as not at this number. Do you know whether or not the carrier made any effort to find out whether he was at any other number in the immediate vicinity?—A. I suppose not, according to the notation on the bottom of that card, he would return the letter immediately.

Q. So, if by any chance the address on the printed sheet was incorrect you would immediately assume or conclude that that party did not live in the precinct?—A. We should conclude that he did not live at the address given on the printed slip.

Q. Now, in spite of the fact that he did not live at that particular number your familiarity with the election laws of the State leads you to believe that that man could live at any point in the precinct and vote there on the proper showing, couldn't he?—A. Not unless he was properly registered, I shouldn't think so.

Q. If a man is registered, for instance, from 218 South Garrison avenue, but as a matter of fact lived at 318 South Garrison avenue, do you know whether or not he would be permitted to vote?—A. If I were judge of election he would not be.

Q. Is that your construction of the election laws?—A. Yes, sir.

Q. Don't you know if a person lives in a precinct and the address registered on the book is simply incorrect that he is entitled to a vote on a showing that he is a bona fide resident of the precinct?—A. I don't know that. No.

Q. Have you ever acted as a judge of election?—A. Yes, sir.

Q. In a polling place?—A. Yes, sir.

Q. Have you ever had that question brought up before you?—A. No.

Q. Now, Peter Reeve, 3008 Garrison Ct—is that?—A. I suppose that is what it is intended for—3008 Garrison court.

Q. Do you know whether or not he lived anywhere in the immediate vicinity of 3008 Garrison court?—A. Don't know anything about that.

Q. So that as to these entries "Not at 3008 Garrison" made by the letter carrier No. 537, what difference is there in that entry and with reference to the information that you have—the entry "Not at this number?"—A. I don't know; I would have to look at that.

Q. I will ask you to distinguish, from the knowledge that you have, where carrier No. 537 says in one instance "Removed," and in another instance "Not at this number," and in another instance "Not at 3008 Garrison court." Why has he those three different entries, if you know?—A. I haven't the slightest idea.

Q. Did you ever ask him?—A. Don't know him; never saw him.

Q. On line 19 of the first page, of Ward 23, precinct 4, is the entry, "Not at this number; Leonard Hall on poll book." What is that entry?—A. That means there is a difference between the name that is entered on the sheet and the name that is entered on the poll book, probably in the first name.

Mr. KINSEY. What is the name entered on the sheet?

A. Leo.

Q. And what is the name there?—A. Leonard. The poll book shows Leonard Hall, and the printed list shows Leo.

By Mr. WALSH:

Q. On line 37 appears the name Robert G. Baldwin, 3001 Park avenue, under the heading "Not in 1902 directory at this address." That is carrier 537, letter No. 10700, not at this number; Robert Baldwin in poll book. Will you produce that letter, Ward 23, precinct 4?—A. Here it is.

Q. Do you know the name of this letter carrier, No. 537?—A. No, sir.

Q. This man appears, according to the directory, to be a resident at that number?—A. Yes, sir; he is in the directory.

Q. The entry was made "Not at this number." Do you know whether or not any effort was made to find this Robert Baldwin or Robert G. Baldwin, by carrier 537?—A. Don't know a thing about it. I will state for your information, Mr. Walsh, and probably it will save a good deal of time, that I put these letters in the post-office, or my men did under my direction, with the understanding that they were to take the regular course so far as we had anything to do with them is concerned. I had no conversation with Mr. Baumhoff or Mr. Smith, or anybody else about what they were going to do with those letters until probably ten days after they were mailed, and should have been returned; I telephoned down there and asked them to have all these letters sent back that could not be delivered. I don't know anything about any of these individual carriers or what attempts they made to deliver them or why they put these notations on here. I absolutely know nothing about it.

Q. On the second page of the transcript of Ward 23, precinct 4, on line 34, I find the name F. S. Williams, 2914½ Laclede avenue, under the heading "In 1902 directory at this address; yes." Number of letter carrier 535, number of registered letter, 10758. I observe in a few of the transcripts that the various entries under the head of "Remarks by carrier" are "Not found at address," "Not found at a certain number," giving the number of the street, "Not found," "Removed," and "No such number." Did you at any time discover what those entries were intended to indicate with reference to carrier 535?—A. They indicated that these people could not be found at the address given.

Q. Did carrier No. 535 inform you of that fact?—A. I don't know carrier 535.

Q. You never had any talk, I understand you to say, with any of the carriers?—A. Absolutely none.

Q. So far as any indorsement on any of these letters are concerned, you know absolutely nothing about who indorsed them?—A. Nothing.

Q. Or under what circumstances they were indorsed?—A. Nothing.

Q. Or where?—A. Nothing. No; I discovered nothing about it, except taking for granted what appears on them.

Q. And that is the method pursued by you in detailing the various abstracts presented here?—A. Yes, sir.

Q. Now, with reference to the carbon copy which you have stated that you used in preparing the review of the ballots as cast or reported to have been cast, was that a transcript that you took yourself?—A. That was furnished to me by Mr. Kinsey.

Q. You never had that identified by any person, did you?—A. I know nothing about it.

Q. You don't know whether it is a correct copy of the numbers of the various ballots voted, or a correct copy of the poll books or anything of that kind, do you?—A. I know nothing about it. It was handed to me by Mr. Kinsey.

Q. And I was told by him that that was a carbon copy of the testimony taken in the election commissioners' office and to prepare my abstract from that.

Q. It was not a certified copy in any way of the original testimony taken, was it?—A. No, sir; a carbon copy.

Q. It bore no notarial jurat as to the character of the copy?—A. That jurat is in blank on there at the finish of every precinct.

Q. But they were not signed and sealed?—A. Not in all cases. I think they were signed, but I don't believe they were sealed.

Q. You are a notary public, yourself, are you not?—A. Yes, sir.

Q. And in preparing papers of that character, you are familiar with what is necessary in the matter of a certificate? For instance, in getting up a list of names, after you have secured the names that you will certify to, you affix your seal at the end of that list with your jurat, don't you?—A. Yes, sir.

Q. That was the method you followed in preparing the petition for Mr. George D. Reynolds?—A. I did not prepare any petition for Mr. Reynolds.

Q. Or Mr. Loffhagen?—A. Yes, sir.

Q. When you got, for instance, ten names or fifteen names, you placed your official seal at the end of those fifteen names with your jurat and the date that you certified to those names?—A. Yes, sir.

Q. That is the method that you pursued in preparing the Loffhagen petition, which you filed?—A. That portion of it that I certified to; yes, sir.

Q. And that is the method that you pursued in connection with anything that you have done of a notarial character? Now, the carbon copy which was furnished you did not have any seal of that character attached, did it—notarial seal?—A. No, sir.

Q. And the seal of the notary is the real test of the certificate, isn't it, as you understand it?—A. As I understand it; yes, sir.

Q. Now, do you know that the list from which you prepared your abstract was a bona fide copy of the transcript which was said to have been taken by the contestant in the election commissioners' office, purporting to be a record of the votes as cast and a copy of the poll book used at the election held November 4, 1902?—A. You ask me if I have positive knowledge of that?

Q. Yes, sir.—A. I certainly have not. All I know about it is that Judge Kinsey handed it to me and told me it was a carbon copy and to prepare my abstract from it.

Q. So that this abstract is prepared from a carbon copy about which you knew absolutely nothing as to its authenticity?—A. I knew nothing about it. I had every reason to believe so, being a carbon copy, but I never have seen the original.

Q. You had no such knowledge as would lead you to say beyond any question in your mind that that was a bona fide copy of any original testimony or transcript taken in connection with the poll books and the ballots at the election commissioners' office in this city?—A. I have every reason to believe that that is a bona fide copy.

Q. That is a belief founded on other evidences than any senses of your own; that is, you did not see it taken, did you?—A. No.

Q. You didn't have it certified to you positively as being taken by any certificate which would be an absolutely legal certificate?—A. No; I had the word of Judge Kinsey, which is good enough for me on any proposition.

Q. You are accepting Judge Kinsey's word, then?—A. Yes, sir.

Q. But aside from that, there was no evidence placed before you as to a positive certainty that that was a bona fide copy?—A. No positive evidence, but it is reasonable to suppose that Judge Kinsey, being one of the leading counsel for the contestant, and I preparing the abstracts, would not give me anything except a bona fide copy. That is to be expected and supposed by any reasonable person.

Q. Have you that carbon copy?—A. No, sir.

Q. What became of that?—A. I turned it back to Judge Kinsey.

Q. Now, the addresses; I believe you have stated—or rather all of the information contained on the printed page which forms the outside or front cover of these abstracts is secured from the directory known as the Gould's Directory for 1902?—A. Yes, sir.

Q. You made no canvass for the purpose of discovering whether or not these names were correctly placed by the directory other than by the registered letters?—A. That is all.

Q. So that if the directory has made any mistake—if for any reason registered mail has failed to be delivered—you have no knowledge other than that?—A. None.

Q. I will ask you to give me the seventh precinct of the Fourth Ward.

(Papers produced by notary.)

Q. Mr. Owen, I will ask you to look at the list marked "Seventh precinct, Fourth Ward," being the front sheet of your transcript, and I would like you to state whether the name of George C. R. Wagoner appears at 1127 Olive street on that printed list.—A. No, sir.

Q. I will ask you to look at this petition and state what address is given there on that list as the address of George C. R. Wagoner.—A. "George C. R. Wagoner, 1127 Olive."

Q. His name does not appear on the official printed list?—A. His name does not appear on the printed list.

Q. Do you know whether or not Mr. George C. R. Wagoner voted at that address or not?—A. Do I know? Yes; he voted from 1127 Olive.

Q. Now, will you show me that sheet from which you are reading?—A. Yes, sir. His ballot is dead. It had no number on it—no initial; 47, I think, is the number of his ballot.

Q. "Not on the official printed registration list at this address." Now, this is the abstract of information which you are furnishing in connection with precinct seven of Ward 4, is it, Mr. Owen?—A. Yes, sir.

Q. I will ask you to look at 1007 Pine street and state whether or not the name of A. G. Meyer appears on the printed list at 1007 Pine.—A. No, sir; it does not.

Q. That gentleman I observe on line No. 1 is remarked as having voted for Wagoner. Do you know how Mr. Meyer managed to vote from 1007 Pine street?—A. I haven't the slightest idea.

Q. Well, do you know from what Mr. Charles A. Conrad made his affidavit that 187 votes more than were registered voters within said precinct?—A. From what he made such an affidavit?

Q. What he based that affidavit on?—A. I suppose on the official count prepared by the judges and clerks, as compared with the printed list.

Q. And you don't pretend to say that that official list is correct, do you, after a careful investigation?—A. I don't think that it is. I also think that if a resident of the seventh precinct of the Fourth Ward went to the election commissioners' office and asked for the registration in his precinct, which the law provides that he shall have, I don't think they would hand him out the registration book. I think they would hand him one of these printed sheets.

Q. There is nothing to prevent any person of the seventh precinct, Fourth Ward, from going to the election commissioners' office and securing that registration book and examining it?—A. I never heard of anybody examining any.

Q. Do you know what would prevent them?—A. I do not.

Q. Did you ever make any effort to procure one of those books to examine it?—A. No, sir.

Q. Did you ever hear of anyone being refused who made requests for permission to examine it?—A. Yes; I have been refused.

Q. When?—A. Two years ago.

Q. By whom?—A. By a clerk in the election commissioners' office.

Q. What is the name?—A. I don't know. I wanted to get a copy of the registration for the primary. It was prior to the enactment of this new primary law. It was at a time that all the names appeared on the general registration book and not on the primary books, and I wanted to get a copy for the primary registration and wanted to copy it from the registration books and was refused.

Q. You don't know the name of the clerk?—A. No, sir.

Q. You simply asked the clerk and he refused you?—A. I asked the clerk and he went into the inner office and asked somebody, I don't know who, and he came back and said "They won't let you do it."

Q. Now, where there are no entries with reference to a voter on this abstract, you have no information to give other than the fact that the person voted or his name was on the printed list?—A. I don't understand that.

(Last question read.)

A. If there is no objections, no entries made, they are in the column headed "Reasons why votes should not be counted." It is to be presumed that if a man's name appeared on the official printed list the ballot was regular in all respects.

Q. Now, Mr. Owen, I observe that you have illegal ballots for Butler, and illegal ballots for Wagoner as a heading?—A. Yes, sir.

Q. I observe that in the illegal ballots for Butler you have checked up 12; under the heading "Illegal ballots" for Wagoner you have checked up 14. Now, in making that entry as to illegal ballots, what do you base your conclusion on as to their being legal or illegal?—A. The objection is set forth in every case in the column.

Q. Where the objection "Reason why votes should not be counted," under that heading, not on that official printed registration list at this address, that is, according to your view, a sufficient reason to make the ballot illegal?—A. It is according to the instruction of the attorneys.

Q. Oh, then the attorneys have instructed you that the ballot voted in the name of a person whose name does not appear on the printed list attached to this abstract is an illegal vote?—A. Yes, sir.

Q. When or about at what time did you arrive at that conclusion?—A. I don't remember.

Q. At what time did you make up this last table or abstract?—A. That is the only one we have ever made up.

Q. When did you make that up? Was it in continuous process of formation?—A. Been at it for seven weeks.

Q. Now, where you have "Not on printed registration list at this address," is he at any other address?—A. Don't know.

Q. Did you try to determine?—A. No, sir.

Q. Where the entry is made "No. of registered letter," "No. of letter carrier," does that information carry all the information with reference to registered letters?—A. That is everything complete so far as the registered letter is concerned; yes, sir.

Q. Did you send any registered letter to any of those persons whose names are marked "Not on official printed registration list at this address?"—A. No, sir.

Q. You sent your registered letters only to those whose names appeared on the printed registration list?—A. The envelopes were addressed from those printed lists. We could not have sent any to any whose names did not appear on the printed list.

Q. You had no opportunity?—A. No, sir.

Q. With reference to this recapitulation of Ward 4, precinct 7, this information in connection with the first ten items, being the black-faced type, was gained entirely from the carbon copy which you say was furnished by Judge Kinsey, except the official printed list?—A. Yes, sir.

Q. The statement of the votes objected to on account of voters' names and addresses not appearing on official printed registration lists issued for this precinct—that is a conclusion which the attorneys arrived at and instructed you to insert in here?—A. Yes, sir.

Q. Under the entry "Votes objected to on account of voters not being reached by registered letter sent to them at address given on official printed registration list" you have 12. That is partly gained from the carbon copy referred to, isn't it? That is the entry as to ballot numbers?—A. The number of the ballots, etc.; yes, sir.

Q. The objection was raised to every vote regardless of whom it was voted for?—A. The votes objected to on account of ballots having none of the judges' initials on the face of ballots. You have the entry 4 and 3.

Q. What do those separate numbers mean?—A. That means that four are objected to on account of ballots having none of the judges' initials and three are objected to on account of the initials of the judges appearing on the face of the ballots instead of on the back as the law provides.

Q. That information is gained from the carbon copies already referred to?—A. Yes, sir.

Q. "Votes objected to on account of ballots having but one judge's initial, 9." That is a conclusion that the attorneys arrived at and instructed you, wasn't it?—A. Yes, sir.

Q. Do you know whether or not there has been any ruling by any of the local court with reference to the initials of one judge?—A. I am not a lawyer, sir.

Q. They instructed you on that question of one set of initials, did they?—A. They instructed me on everything that appears on these sheets.

Q. "Votes objected to on account of ballots of same number having been voted more than once." You have the ballot numbers and then you give the cipher. What do you mean by that?—A. That means that the vote is killed. Any two ballots of the same number kills them both, and that is accounted for down here in the 47 that are marked voted for nobody. The ballot number that has been voted twice leaves the votes for nobody.

Q. You have a circle drawn or a cipher drawn in the recapitulation column there?—A. That is done so that it will balance. That is accounted for in this 47. If it was counted out in there it would appear twice.

Q. So that count doesn't actually show what that entry purports to show?—A. Yes, it does.

Q. Would the count show by itself if all the balance of that page were stricken off, and if one entry was left, would that column show?—A. Yes, sir; this added together will make the total number on the poll book. "Three hundred and six ballots voted, objected to on account of the name not appearing on the official list; 12 objected to on account of the voters not being reached by registered letter; 7 objected to on account of not being properly initialed, and 9 for the same reason; ballots not being numbered, none," which is a vote for nobody. "Votes objected to on account of ballots of same number having been voted more than once, 14, which is accounted for in this 47.

Q. What did these two 14 mean?—A. That means duplicate ballots of the same number, 14. Those added together makes a total of 416, and the total number of names voted according to the poll book is 416. That is done to account for every ballot that is shown by the poll book. Those 14 are accounted for in the 47 down at the bottom there, classed as votes for nobody.

Q. That is another conclusion of yours?—A. It is the conclusion of the attorneys; yes, sir.

Q. That is the conclusion that the attorneys arrived at for the purpose of disposing of these votes?—A. Yes, sir.

Q. That means there is two ballots in the box for every one of those numbers mentioned.

Mr. WALSH. Let me see the Fifth Ward, fifth precinct, Mr. Halter.

Mr. KINSEY. Do you want the exhibit or the abstract?

Mr. WALSH. The exhibit corresponding to the one he just took.

(Exhibit produced.)

Q. I will ask you to look at 415 South Broadway, William Wand.—A. Yes, sir.

Q. Is he marked as living there?—A. Not in the directory.

Q. I will ask you to look and see whether or not he was the recipient of a regis-

tered letter.—A. No, sir. I suppose it was. It is not entered here as having been returned. Is that what you wanted to know?

Q. I wanted to know if you have any record of the letter having been returned, or if you have any record in your exhibit there.—A. Nothing except that there was a letter sent to everybody in this precinct. There is no record of anybody returned.

Q. James Butler, same place?—A. In the directory.

Q. See whether or not he had a letter returned. Are they all about the same entry there?—A. They are supposed to be printed in rotation according to the streets. There is no record of any letter having been returned from Mr. Butler.

Q. William H. Flowers?—A. No record of any letter being returned.

Q. Martin Kierney?—A. There is a record of a letter having been returned that was addressed to him to that number.

Q. What is your record?—A. "Not in the 1902 directory. Number of letter carrier, 87; number of letter, 21550." Remarks by carrier removed. Dan O'Connell, same address, had no record of any letter having been returned that was addressed to him.

Q. A. G. Panzer?—A. There is a letter returned that was addressed to him at that number.

Q. What is the indorsement or entry?—A. Number of letter, 12549; number of carrier, 87; not in the 1902 directory at that address; not found. Those are all the remarks by the carrier. The poll book shows W. G. Panger.

Q. The poll book shows that?—A. Yes, sir.

Q. That is the carbon copy that was alleged to have been a copy of the poll book that you received?—A. Yes, sir, the number of the ballot is 79, voted for Wagoner, and rejected, if our claims are upheld.

Q. Charles Clark, same number.—A. No record of any letter having been returned that was addressed to him at that number.

Q. Emil Kuehne.—A. No record. Those are the only two from that number, Martin Kierney and Panger.

Q. Look on the concluding portion there and see whether by any chance any of those have been omitted.—A. There is only one of them, John Lyons, 509 South Broadway. That is out of numerical rotation.

Q. I understood you to say that William Wand had no return letter?—A. No record of it here. You understand there may have been returns—so that you won't get confused, I will say to you there may have been letters returned addressed to these people and they may have been marked by the letter carriers either refused or not in during delivery hours. They are not reported on these sheets, nor they are not in evidence.

Q. You are familiar with the place numbered 415 South Broadway, are you not, just opposite Valentine's?—A. I think Ellis's place is on the corner of Broadway and Spruce, that is 401 South Broadway; 415 would be just below that.

Q. Isn't that the engine house of the fire department?—A. I really don't know.

Q. Don't you know that William Wand is a young man who was injured a day or two ago?—A. I don't know him at all.

Q. Don't you know Martin Tierney is one of the well-known members of the fire department of this city, and has been for years foreman of a truck at engine house on Broadway?—A. I don't know him at all.

Q. A man who has been frequently mentioned in connection with bravery—acts of bravery performed at numerous large fires?—A. These firemen are nearly all heroes, and I can't remember him.

Q. 417 South Broadway is the name of J. J. Gilfoil; where did you get the registered number 417 South Broadway?—A. The registered number?

Q. Yes, sir. Is that from the printed registration list?—A. I suppose so; it should be.

Q. J. J. Gilfoil is marked as removed. On line 32, the name of James Thorpe—do you know whether or not he was actually removed at the time that this letter was mailed?—A. I don't know anything about it.

Mr. WATSON. I will ask you, Mr. Halter, to produce the box, Ward 5, precinct 5, letter numbered 21490?

(Said box is produced.)

Q. This was mailed along with the others at the time you state, and addressed and postmarked St. Louis, December 16?—A. Yes, sir.

Q. You mailed that about the 16th or 17th?—A. The 16th and 17th.

Q. Will you let me see the letter addressed to Mr. G. B. Michael, 605 South Broadway, No. 23705 [letter handed to counsel]. I will ask you to produce the letter addressed to John Ross, 627 South Broadway, No. 23652 [letter produced]. Do you know who made the indorsement on the back of that envelope?—A. I haven't the slightest idea; the carrier's number is on the back of it, I suppose; that is, 89.

Q. You don't know that to be the carrier's number?—A. No, sir; I don't know anything about it.

Q. Any indorsement that is on there you don't know who made by or under what circumstances made?—A. Absolutely not.

Q. Or in what connection?—A. We turned these letters over to the post-office department, and they are supposed to take care of them in the regular way.

Q. You get them back from the postal department, and aside from that you have no information in connection with any of these letters?—A. Absolutely none.

Q. You simply sent by messenger to the post-office, or presumably so, and the letters have been sent by you and returned?—A. About two weeks after sent.

Q. You have never been a post-office official?—A. No, sir.

Q. I will ask you to produce also letter 23656, addressed to James Woods, 627 Broadway.—A. Yes, sir; here is James Woods, No. 23656.

Q. The same indorsement appears on the back of this letter "Not known by land-lady at this ad." That information was secured from a source unknown to you, and if James Woods is an actual and bona fide resident at that address, or was on election day, you don't know it?—A. Don't know anything about it.

Q. You have no way of securing any information as to what time these parties removed from the address, if that is the intention of the party to see that they have removed or not known?—A. I have no idea.

Q. Did you make any effort to discover whether these parties who removed left orders for the forwarding of their mail to any other address?—A. No; but some of the letters came back, some few of them, with the indorsement to this effect: "Removed and left no notice, no removal notice," something to that effect.

Q. How long have you known George C. R. Wagoner?—A. I should judge five or six years.

Q. Did you know him in 1893?—A. I don't believe I did. I am reasonably sure I did not.

Q. Did you know of him?—A. No, sir.

Q. Did you know a man by the name of Furber who ran a saloon on the corner of Eighth and Pine?—A. No; I didn't; I have often heard of Furber, but I don't know him.

Q. Did you know Arthur Furber?—A. No, sir.

Q. Are you a reader of the Globe-Democrat?—A. Yes, sir.

Q. What is that?—A. A newspaper.

Q. Published in the city of St. Louis?—A. Yes, sir.

Q. A Republican newspaper?—A. Yes, sir.

Q. Were you a reader of the Globe-Democrat in March, 1893?—A. I don't remember; I guess I was.

Q. I will ask you if you read this article in the Globe-Democrat of Friday, March 17, 1893, page 4, column 3: "Furber and Gazelle incarcerated"—

Mr. KINSEY. What are you reading from?

Mr. WALSH. I am reading from the Globe-Democrat of March 17, 1893. "Furber and Gazelle incarcerated. Arthur E. Furber, the well known saloon keeper, and Martin Gazelle was confined in the Four Courts holdover on a serious charge. They are accused of aiding in the assault on S. O. Wilkins, who lives at 1106 Locust street. Wilkins is now in the city hospital in a critical condition. Last Tuesday night Wilkins and a crowd of politicians, among whom it is said were Furber and Gazelle, were standing at Eighth and Pine, discussing the approaching election. The subject of wagers was spoken of, and a discussion became animated, when one of the party boasted that he would treat his wife to a banquet; all followed suit. Then it is alleged that Wilkins made a remark reflecting on the character of the wife of one of the assembled men; he was promptly knocked down and badly beaten about the head and face. He claims that all present used his head for a football and the condition of his cranium attests his words. He went to the dispensary after the fight, and when his wounds were dressed retired to his home. Yesterday he became worse, and at his own request was moved to the city hospital, and Gazelle was locked up, but about an hour after his incarceration Furber appeared at the central district station and offered bail for Gazelle; Captain Young placed Furber under arrest. The other parties are being sought for." Have you read that?—A. I don't remember having read anything of the kind.

Q. Did you read the Republic of Sunday, March 19, 1893, page 2, bottom column 5, "The Wilkins inquest. The inquest was held yesterday on the remains of S. O. Wilkins, who died at the city hospital Friday from the effects of a fracture of the skull, and a verdict was rendered that the deceased came to his death from the effects of a fractured skull received at 9 p. m. on March 14 on Eighth street between Pine and Olive streets, from being knocked down by some persons unknown to the jury. Arthur Furber and George Wagoner, Ed. Wagoner and Martin Gazelle, who

were arrested, were discharged. J. G. Fisher, a real estate agent, and William F. Crittenden, his clerk, testified that they were standing near the corner of Eighth and Pine streets at the time of the assault and saw these men walk rapidly after Wilkins on Eighth street; the smallest of the three, they state, ran forward and struck the man in front on the back of the head, felling him to the ground. They failed to recognize any of those arrested as one of the three. Robert Robinson, a traveling man, was outside of the saloon and heard some one say, 'Give it to him;' he didn't see any blows struck." Did you read that?—A. I don't remember ever having read that.

Mr. KINSEY. What is the object of reading this stuff into the depositions; it has nothing to do with this case.

Mr. WALSH. I just wanted to see what Mr. Owen knew about this.

Mr. KINSEY. Just hand him the paper and let him read it.

Mr. WALSH. It may be a little bit difficult for him to decipher.

Mr. KINSEY. You had better hand him the paper and let him read it and ask him if he knows anything about it. We are not paying for copies of newspapers here.

Mr. WALSH. Do you know whether or not George C. R. Wagoner is a son of undertaker Wagoner who was formerly associated with Smithers in the firm name of Smithers & Wagoner?—A. I believe he is the son of Mr. Wagoner; I don't know anything about his business connections.

Q. Do you read the St. Louis Star?—A. Yes, sir.

Q. What is that?—A. Republican newspaper of St. Louis.

Q. Did you read the St. Louis Star of July 2, 1902?—A. I don't remember; but I suppose I did.

Mr. KINSEY. I have listened to the reading of two newspaper articles that are not read from a newspaper at all, and purport to be nearly ten years old, neither of which have the slightest bearing upon any issue in this case, nor upon any evidence adduced from the witness now on the stand, or in the taking of depositions here to-day, and they are so utterly far-fetched and so out of the way from any legal standpoint or any other standpoint, that I desire now to interpose my objection to any further examination upon that line, and I shall instruct the witness not to answer any further questions of that kind, and I request the notary not to take anything more down, not to take any more articles of this kind down in this deposition.

Mr. WALSH. How long have you known Mr. George C. R. Wagoner?

A. I should think five or six years.

Q. You knew him in July, 1902?—A. Yes, sir.

Q. Did you know him at the time that he was beat by Philadelphia Tom Ryan, a pugilist, at Hotel Rozier?—A. I don't know anything about that.

Q. Did you hear of that incident?—A. I don't think I heard anything about that.

Q. Have you read of it in any of the newspapers of the city?—A. No, sir.

Q. It is a matter of general information.—A. I am very sure I did not see or hear of it, or I would have remembered it as late as when you say.

Q. July 2, 1902?—A. I certainly would have remembered it if I had read it.

Q. You didn't read that in the St. Louis Star?—A. No, sir.

Q. If George C. R. Wagoner was beaten in front of the hotel, or attacked by Philadelphia Tom Ryan, or drew a pistol—"Pugilist knocked Wagoner out in short order," you don't know it?—A. No, sir.

Q. That was July 2, 1902?—A. I certainly would have remembered it if I read it.

Q. Have you ever attended any caucuses with George C. R. Wagoner?—A. Never was at a caucus with him in my life.

Q. You never knew of the location that he usually indulged his political banquets in?—A. No, sir.

Q. Have you ever heard of a woman named Hattie Steiner—

Mr. KINSEY. Don't answer that question, and don't you put any scandalous matter in this deposition.

Mr. WALSH. I will ask you to answer that question.

Mr. KINSEY. I have instructed you not to answer.

The WITNESS. I decline to answer.

Mr. WALSH. Do you know whether any caucus or meetings have been held there by George C. R. Wagoner and his political associates?

Mr. KINSEY. Don't answer the question; and Mr. Stenographer, don't put it down.

Mr. WALSH. This deposition is a part of the record in the case known as the Wagoner-Butler contest.

Mr. KINSEY. It is a part of the record I am taking myself; I shall ask that it be put in the record as an additional reason for my objection to any further examination on this line; one of the counsel here has confessed himself, in the presence of the notary and stenographer, that the matter is scandalous and has nothing to do with the case, and for that reason I insist that it shall stop right here and now.

Mr. FRUMBERG. The attorney who has made that admission referred particularly to the matter introduced in evidence to-night by the attorneys for contestant before Notary Sanders; the matter I referred to as being scandalous was the alleged newspaper articles referring to some indictments found against certain individuals who are not residents of the Twelfth Congressional district, and certain alleged newspaper articles attacking the character of the contestee and others, which have absolutely no bearing on the issues involved in this controversy, and that is what I referred to when I said it was scandalous and should be kept out of this record, and I agree with Judge Kinsey in what he says in that regard.

Mr. KINSEY. The scandalous matter you have referred to was not taken before this notary or in this deposition.

Mr. FRUMBERG. I regard this as one and the same thing, being the contest of Wagoner against Butler, and one is a part of the whole; this is a part of the record, and will be so considered.

Mr. WALSH. In connection with the scandalous matter that has been referred to, taken in this contest, was taken in the adjoining room, no witness being on the stand, the matter being simply introduced as an exhibit without any person to identify the same, contrary to all forms of evidence, and a matter which was purely scandalous, having for its intention no other object than to reflect on the character of the contestee, the records of the court not having been introduced. The records of the court would show that the contestee was exonerated in the charge that was made by a jury of twelve men, while with reference to contestant's charge of manslaughter in the fourth degree, it has never been tried, and has been continued generally and the records have been stolen from the court in which they should now be reposing as a part of the court's records.

Mr. KINSEY. Have you any further questions to ask Mr. Owen on the matter of this testimony?

Mr. WALSH. Yes, sir.

Mr. WALSH. Let me see the twelfth precinct of the Twenty-second Ward.

(Exhibit produced and handed to counsel.)

Q. You don't pretend, Mr. Owens, that the direct checks there are of any value, do you?—A. Not by themselves.

Q. Well, are they in any way, whether by themselves or in connection with anything else?—A. They are used as a check against one who can't be reached by a registered letter.

Q. The fact that a man's name does not appear in the directory is not set forth as a reason for his not being entitled to vote?—A. Not that of itself; it is a secondary reason for rejecting the ballot.

Q. These letters that you sent out, Mr. Owens, were all posted on or about the 16th day of December?—A. Except about 1,700 which were sent out in October.

Q. Are they in evidence?—A. Yes, sir.

Q. Under what heading are they?—A. Same as the others.

Q. Are they in any way separated or distinguished from the others?—A. No, sir.

Q. Did you make an affidavit in connection with this contest of George C. R. Wagoner against James J. Butler?—A. I think I made an affidavit that was presented at Washington.

Q. The letters that you sent out at that time were the ones that bear the stamp "Return in two days to John Breshare, box 150, St. Louis?" Those were the only letters that were sent out with the notation, "Return in two days," were they not?—A. Yes, sir.

Q. And all of these other letters which you have testified to as having been sent out on or about the 16th or 17th of December, 1902, were sent out with the notation, "Return at once"—if not at this address "Return at once?" That is, printed at the bottom for the purpose of preventing the carrier from tracing them in case they have removed, for the purpose of getting a quick return?—A. Well, that did not get a quick return.

Q. In spite of the fact that Mr. Smith was a particularly intimate friend of yours?—A. That does not make any difference particularly.

Q. It did not facilitate matters?—A. Not at all; it was two weeks before we got them all back.

Q. When you say "all" what do you mean by that?—All that were to be returned to us.

Q. All that could not be delivered?—A. Of some 25,000—25,179.

Q. That could not be delivered?—A. No, sir; that is the total number sent out.

Q. Do you know what Exhibit 1 was; part 1, Exhibit 2, and part 2, in connection with the affidavit that was filed at Washington made by you?—A. I can tell by reading the affidavit.

(Paper handed to witness.)

A. The Missouri State Republican, of date November 21, 1902, was Exhibit 1, and the same paper of date November 28 is Exhibit 2.

Q. Those are the exhibits?—A. Yes, sir.

Q. Have you copies of those two exhibits? Do you know what became of them?—A. No, sir; I think they were filed with the memorial at Washington, the originals.

Q. In this affidavit you state that there were 15,000 falsely and fraudulently registered voters in the Twelfth Congressional district?—A. That is my opinion.

Q. What do you base that opinion on, or that belief?—A. Principally upon the ratio of registered letters returned from certain wards, and again upon the fact that the lower ward, known as "River Ward," according to the figures shown on the total registration, are far in excess, in my judgment, of what they should be. I don't believe that there are over 2,000 legitimate voters in either the Fourth or Fifth Wards, or the Fourteenth.

Q. How about the Sixth?—A. I don't believe there are over 3,000 or 3,500 voters in the Sixth Ward.

Q. What makes the Sixth Ward heavier than the Fifth?—A. It is more of a residence ward.

Q. Isn't it a fact that the lodging-house wards carry a heavier registered vote than the residence wards?—A. Carry a heavier registration? I don't believe that they register. My experience has been that they can not get them to register as a rule. They are transients, in and out, mostly.

Q. Isn't it a fact that the Fifth Ward is almost entirely made up of lodging houses, boarding houses; that there are comparatively few houses consisting of children and women?—A. There are a great many of them, and, as I stated before, those lodging houses are filled up with transients, as I believe. A good many factories and business concerns in the Fifth Ward and Fourth Ward.

Q. A great many factories in the Fifth Ward?—A. Business houses; big business houses of different kinds.

Q. Where are the big business houses aside from the Cupples Block in the Fifth Ward?—A. Main street, Second street, and Broadway.

Q. Are not those same streets and houses thickly peopled with a class of people who huddle together and make large communities in comparatively small space?—A. Yes, sir.

Q. Isn't it a fact that nearly all of those lodging houses along the river are peopled by men who are employed in various capacities down town?—A. I believe most of them are down in that section, around the river. In and out, and from what experience I have had in trying to get that class of people to register I will say that it is a very difficult matter.

Q. The Fifth Ward contains most of these cheap hotels, doesn't it—the Fifth, the Fourth, and the Third Ward?—A. The Fourth and Fifth are filled up with them; yes.

Q. And the Fourteenth is practically nothing but boarding houses, commencing at about Fourteenth street and going west?—A. Filled up with what?

Q. Lodging houses and boarding houses.—A. Oh, a good many of them are getting in there now.

Q. Isn't it a fact that practically all of the old residences which up to probably five years ago were peopled and occupied by families are now either lodging houses or boarding houses in the Fourteenth Ward?—A. I can't say about that, because I really don't know.

Q. You have not been through the Fourteenth Ward to any considerable extent?—A. Very seldom.

Q. So when you make the statement that the Fourteenth Ward has only 2,000 voters, or about that number, it is not from any knowledge that you have gained by personal inspection of the premises of that ward?—A. Not personal inspection; no, sir.

Q. Your information is based almost entirely on the results of your registered mail canvass?—A. Well, I won't say that.

Q. What is it based on?—A. Well, I don't think that it is a residence ward, and I have talked with some people who live in the Fourteenth Ward.

Q. Who were they?—A. Mr. Clarkson, Mr. Kramer, Mr. Stevenson, and some others living there; Mr. Rodan; different others. I don't remember just who they are.

Q. Now, isn't it a fact that along Market street from Twenty-sixth street to Fourteenth street it is practically a continuation of boarding houses, hotels, and rooming houses and lodging houses?—A. I believe that it is; yes, sir.

Q. Now, without consulting any memorandum, Mr. Owens, will you—A. I was just going to tell you why I thought the Fourteenth Ward registration was too big.

Q. Well, we will take that voluntary statement later on, but just now let me ask you questions. Now, what do you tell us about the bona fide registration of the

Fourth Ward—the bona fide legal vote of the Fourth Ward?—A. I don't think that it exceeds 2,000.

Q. You say it is 2,000?—A. I say that is my belief. I base the Fourth Ward on conversations with people living in the ward, and more particularly on a conversation I had with Ben Brady, who is now dead.

Q. He has been dead for a couple of years, or three years?—A. Yes, sir. He told me five years ago that they had canvassed the ward and tried in every way in the world to get out every available Democratic vote in the Fourth Ward, and they never had been able to muster over 700.

Q. At that time Mr. Brady was in a state of antagonism toward the Democratic party, wasn't he?—A. I never heard of Ben Brady being antagonistic to the Democratic party.

Q. Never did?—A. No, sir.

Q. He was at that time declining, both mentally and physically, wasn't he? He shortly afterwards died?—A. Well, I don't know whether I ever saw Ben Brady when he was in that state of decline, mentally or physically.

Q. This was previous to his collapse, which eventually resulted in his death?—A. It was about five years ago.

Q. And he died a little bit over three years ago?—A. I don't know when the collapse came.

Q. Was Brady perfectly sober at the time?—A. I never saw Brady in any other condition, nor never heard of him being in any other condition.

Q. Now, what is your idea of the actual legal vote in the Fifth Ward?—A. I don't think it exceeds 2,000.

Q. The source of your information is similar to the other? How about the Sixth Ward?—A. I don't think the legitimate registration exceeds 3,500.

Q. The second precinct of the Seventeenth Ward; about what is the legal vote in that precinct?—A. I don't know.

Q. You don't know?—A. No, sir.

Q. Do you estimate that at any number at all?—A. No, sir; I think the registration is straight there. I think it is pretty straight.

Q. Thirteenth Ward?—A. I think the Thirteenth Ward is straight.

Q. About what?—A. The registration.

Q. The actual legal qualified vote?—A. I should judge between 4,000 and 4,500.

Q. Which will you say?—A. Four thousand.

Q. Eleventh and twelfth precincts of the Twenty-second?—A. I don't know anything about that. I believe the registration is straight there.

Q. Fourteenth Ward?—A. Fourteenth Ward? I don't believe there was 2,000 legitimate voters.

Q. How many do you think?—A. From 1,500 to 1,800.

Q. 1,500 or 1,800?—A. 1,800.

Q. Fifteenth Ward?—A. I don't think the Fifteenth Ward has over 2,100 legitimate registration.

Q. Twentieth Ward?—A. I don't know anything about that. There is one precinct of the Twentieth Ward in this district.

Q. The Twenty-first?—A. There is two precincts there. I don't know anything about that.

Q. Twenty-second?—A. Twenty-second Ward, I don't believe would run 3,100 legitimate registration.

Q. Is there any reason why it should not have as many as the Sixth? It is an exclusively residence district, isn't it?—A. Well, I don't know.

Q. No factories in it?—A. No; I don't believe there are very many factories.

Q. Isn't that just as large a ward as the Sixth?—A. I don't think it covers as much territory.

Q. What do you say of the Twenty-third?—A. The Twenty-third I don't believe has over 2,500 legitimate registration.

Q. Twenty-fourth?—A. Twenty-fourth? I don't know anything about that.

Q. Do you estimate that that is correct?—A. Well, I have heard that precinct 12 and 13 are badly padded.

Q. You have heard that?—A. Yes, sir.

Q. Where do those precincts lie?—A. I believe that they are at the north end of the ward.

Q. What do you estimate the Twenty-fourth?—A. Don't know anything about it.

Q. The Twenty-fifth?—A. I believe the Twenty-fifth Ward was comparatively clean of fraudulent registration; probably in the first precinct and the second—the first I believe, it is my opinion that there is some.

Q. What do you estimate the vote for the Twenty-fifth Ward?—A. I don't know.

Q. Well, that is one almost exclusively residence ward, isn't it?—A. I believe it is; yes, sir.

Q. Takes in Vandeventer Place, and some of the other places over that way, doesn't it?—A. I think Vandeventer Place is in the Twenty-first Ward.

Q. Delmar Avenue on this side of Vandeventer takes in nothing but residence locality, does it?—A. I don't know; I never studied or heard anything of the registration of the Twenty-fifth Ward except the lower end of it.

Q. Can you give an estimate on the vote in the ward, the legal vote?—A. No; I don't know what the vote is.

Q. Do you think it was 3,500?—A. Yes; I judge it would be.

Q. Do you believe the Twenty-fourth Ward was 2,500?—A. Yes, sir; it is a very large ward. That covers a great deal of territory.

Q. Now, as to the first and second precincts of the Twenty-eighth Ward.—A. I don't know; I am not familiar with that.

Q. That is an absolutely residence district, isn't it?—A. The first and second precincts I believe are down next to the railroad tracks.

Q. They do go that far down, I believe, but it takes in Forest Park boulevard, and over to Lindell boulevard?—A. No. 3865 I think takes in all Forest Park.

Q. Is that in the first and second precinct of the Twenty-eighth Ward?—A. No; that is in the thirteenth precinct of the Twenty-third. There isn't any chance to go wrong on that.

Q. The first and second of the Twenty-eighth takes in Forest Park boulevard, but doesn't take in 65. Well, isn't it in Forest Park boulevard, the first and second precincts?—A. I don't know. I don't know whether it is or not.

Q. Have you any idea about the legal vote in those precincts?—A. Not the slightest.

Q. Do you think it is about 400 to a precinct?—A. Really don't know; I never studied it, and never heard anything about it particularly. Never heard it discussed among Republicans about being padded, and I paid no attention to it.

Q. So if you Republicans find any padding you are not worried?—A. The people that live out that way ought to know.

Q. What do you estimate the actual legal vote of the Twelfth Congressional District excluding the two precincts, the twenty-first, one in the twentieth and two in the twelfth. What do you estimate the entire vote?—A. I never estimated it.

Q. Well, on the statements that you have just made I will say that you have estimated the vote at 27,800, and that doesn't take in the precinct, in the Twentieth, Twenty-first, and Twelfth wards, which are also a part of this district, and the Congressional vote cast for the short term in the Twelfth district was 27,652. Now, under those circumstances, do you believe that there were 15,000 fraudulent votes cast at the election of 1902?—A. I never said that I thought there was 15,000 fraudulent votes cast.

Q. At the time that you made this affidavit, when you said there were 15,000 fraudulent, false names, did you intend to convey to Congress that there were 15,000 fraudulent votes cast at the election of 1902?—A. I intended to convey to Congress that the fraudulent registration in the Twelfth district in my opinion amounted to 15,000.

Q. Did you have any information as to any rejected ballots in your carbon copy?—A. I don't remember of seeing anything of it.

Q. All that you had was what purported to be a record of the number of the ballot, a statement of the number of initials on the back of the ballot, and the person for whom the ballot was cast, if cast for the short term, and the number of the ballot, the name and address of the voter—

The WITNESS. And any irregularities, such as mutilation of the ballot, one initial or no initial, or having been voted more than once; in fact any irregularity pertaining to any and all the ballots.

(Abstract of second precinct, Fourth Ward, called for and produced.)

Q. If there is a statement that there were 400 votes in the second precinct of the Fourth Ward that were fraudulent, your official recapitulation or review doesn't bear out in that statement, does it?—A. This recapitulation shows that there are more than 400 that are objected to.

Q. Are there 400 fraudulent or illegal votes?—A. There are over 400 that the attorneys for the contestant claim not to be counted. Whether they are illegal or fraudulent I couldn't say.

Q. Your review says 358 or 356, doesn't it?—A. 356 that are objected to.

Q. And what are the natures of those objections?—A. 274 are objected to on account of the names of the voters not appearing on the official printed list.

Q. Where is the official printed list?—A. Where is it? Based on the registered letter exhibit.

Q. What makes it official?—A. I am not to judge that.

Q. There is nothing on the list to indicate that it is official, is there? It doesn't bear any certificate of the board of election commissioners.—A. It was issued by the board.

Q. Have you any information of that fact?

Mr. KINSEY. Under the provision of the law.

The WITNESS. I am not in a position to rule on whether that is the official list or not.

Q. Then don't say that it is the official list.—A. You are asking why these votes are objected to, and I am reading off what this recapitulation says.

Q. You prepared that recapitulation?—A. Yes, sir.

Q. And that bearing the statement "Official printed list" is the statement that comes from you?—A. Comes from the attorneys in this case.

Q. Then they are the ones who have passed on the official character of that printed list?—A. They are the ones that have passed on everything that is contained in this recapitulation.

Q. You acted purely in the character of a general director of the clerical force, then?—A. Yes, sir.

Q. You originated no ideas, and arranged for no conclusions except such as you were led to by the figures?—A. My advice was very often asked and given. There was several conferences between the attorneys and Mr. Wagoner and myself.

Q. And you gathered the data that appear, and the conclusions that appear are those of the attorneys, and you are the clerical instrument that carried out their conclusions, and had them printed in this form?—A. Carried out their instructions: yes, sir.

Q. So that the statement there that certain names do not appear on official printed lists emanate from the attorneys exclusively?—A. Yes, sir; I carried out their instructions.

Q. Where did you get the printed list from which you prepared your abstract?—A. I don't remember. I believe I got them from the attorneys in the case, if not from the election commissioner, I won't be positive about that, but either one of the two.

Q. They were not certified as correct or official lists of the registered voters of the precincts to which they are attached in your various exhibits, were they?—A. They are supposed to have been issued by the election commissioners under a provision of the law which says, if my memory is correct, that the election commissioners shall prepare a printed list of the voters in each precinct from the registration books.

Q. I ask you if there was any certificate attached to any of those lists which indicated that those lists were issued by the election commissioners as an official record of the actual names on the registration books of the various precincts to which they are attached as exhibits or reports to which they are attached as exhibits?—A. Well, I didn't see any of their names on them, so I didn't know that they certified to it.

(The notary produces by request one of the printed lists.)

The WITNESS. My understanding is that they are the lists that are given out in the election commissioner's office.

Q. I will ask you to look at the list which is handed you, and state whether or not there is any certificate of any description attached to that list which positively states, or even by innuendo states, that it is an official list issued by the board of election commissioners of the city of St. Louis?—A. There is nothing on there to certify to that effect.

Q. And the lists that you secured, you don't know where they were secured from, the lists that you used?—A. Oh, yes; they were secured from the election commissioners.

Q. Do you know whether or not you secured them there?—A. No; I personally did not secure them.

Q. So you don't know of your own personal knowledge that they were secured from the board of election commissioners' office in the city of St. Louis?—A. Well, no, I do not.

Q. Did you compare those printed lists with the official registration books in the board of election commissioners' office?—A. No, sir.

Q. Did you have them compared with those official registration books?—A. No, sir.

Q. Do you know where the official registration books were kept?—A. Kept at the election commissioners' office.

Q. Did you make any efforts to secure a correct copy of the registration books?—A. You asked me that question before, and I said I did not.

Q. You made no effort to do that?—A. But since that time I remember that Mr. Woestermann of the Fourth Ward went to the election commissioners' office to get a copy of the registration of the Fourth Ward, and he consulted with Mr. Kunz, and Mr. Kunz agreed to let him have it the next day, and the next day he went up there with a force of men to make a copy of this registration and refused.

Q. When was that?—A. Before election—shortly before the election of 1902.

Q. Did Mr. Woestermann ever testify to that fact under oath, that you know?—A. Not that I know of. He was out here a while ago and met me and reminded me of it, and I remember it very well.

Q. Were you with Mr. Woestermann at the time you speak of?—A. No.

Q. So you don't know the circumstances under which Mr. Woestermann went there?—A. Only what he said.

Q. Nor the time?—A. No, sir; it was after the registration had closed in the precinct, between the time of the close of registration in the precinct and the day of election. That would carry it between October 20 and November 4.

Q. That is Hy. Woestermann, of the Fourth Ward?—A. Yes, sir.

Q. Do you know whether or not he was subpoenaed by the contestee in this case to testify?—A. I don't know.

Q. Is he present now?—A. I don't see him.

Q. Has he been subpoenaed, to your knowledge, by the contestant to testify?—A. I don't know.

Q. So that all of the statements that you have made grow out of statements that he made outside of this record?—A. Yes, sir.

Q. Not by any party to this record?—A. So far as I know.

Q. Now, when you say that Mr. Woestermann told you that he went there, that is the extent of your information?—A. Yes, sir.

Q. You personally did not go there?—A. No, sir.

Q. You personally did not make any effort to compare your registration list, so called, with the registration books?—A. No, sir.

Q. Your knowledge, as a member of the Republican organization is of such a character as to inform you as to the very best method of discovering where a registered voter's name is?—A. So far as the Sixth Ward, which I represent in the committee, is concerned, I will say I had a copy of the registration before it was returned to the election commissioner's office.

Q. You had it made from the verification books of your clerks?—A. Yes, sir.

Q. So that you knew that your copies were perfect?—A. Well, I took it for granted that they were: yes. The clerks made a copy of the registration and gave it to me.

Q. You knew every clerk who officiated as a clerk at the election of November, 1902, for your party in the Sixth Ward?—A. No; I didn't know them all.

Q. They were appointed at your suggestion, were they not?—A. Yes, sir.

Q. And to that extent you knew they were good men?—A. Well, I didn't know very much of some of them.

Q. You knew enough to appoint them, or have them appointed, as election officials, didn't you?—A. I gave the usual authority to recommend and signed my name to it. Yes; I am responsible for them, and have no complaint to make on that score.

Q. You felt perfectly satisfied that all those clerks and officials that you had appointed were honest?—A. I can't say that for the clerk in the eighth precinct.

Q. What is his name?—A. Brown.

Q. Is he the ex-turnkey—the jailer?—A. I don't know him at all. I don't think so.

Q. Do you know that he was industriously engaged in circulating a petition for Mr. George C. R. Wagoner?—A. I don't know anything about Mr. Wagoner's petition or who circulated it.

Q. You didn't have anything to do with that?—A. Absolutely nothing.

Q. You were not interested?—A. No, sir.

(Exhibit of third precinct, Fourth Ward, requested and produced.)

Q. Now, I will ask you to state, Mr. Owens, what the number of votes cast for Mr. Butler, as shown on the returns from the third precinct of the Fourth Ward, is on your abstract.—A. You mean the return of the judges and clerks?

Q. The official return.—A. 215.

Q. And how many do you consent to allow Mr. Butler?—A. Well, I don't think that is a fair question.

Q. According to your abstract there, how many votes will you admit that he received?—A. 38.

Q. How many votes does the official return give to Mr. Wagoner?—A. 43.

Q. And how many do you demand for Mr. Wagoner?—A. 17.

Q. Now, what is the total number of votes which you claim were fraudulent or illegal?—A. The total number of votes objected to are 158, and 57 that are voted for nobody.

Q. You don't remember what 57 that are not cast for anyone?—A. All the record shows is that they are cast for nobody.

Q. Now, that would make less than 200 fraudulent votes in the third precinct of the Fourth Ward?—A. Well I don't know that I am competent to pass on what is fraudulent and what is not.

Q. Assuming that those votes which you are opposed to having counted for Butler are illegal and fraudulent, as alleged in the petition, the proof doesn't quite come up to the petition's allegations outside of some fifty odd, does it?—A. I don't know anything about the petition.

Q. The petition states that there were 200 fraudulent votes in the third precinct, and with all of your skill you have only managed to pare down 100—

The WITNESS. 163. I have been pushed for time.

Q. If you had a little more time you think you could have managed to cut them all out? You know that the contestant stated on the floor of Congress that he had plenty of time in fifteen days, and you are now running into something like forty?—A. I am not responsible for what the contestant said. I see Mr. Woestermann there now. You asked for him a while ago.

Q. I will ask you to look at the abstract of the fourth precinct of the Fourth Ward and state how many votes you will consent that Mr. Butler received at the election of November 4, 1902?—A. Well, I don't think we can allow Mr. Butler but 50 there.

Q. That is your admission. Now, what do the clerks consider he was entitled to?—A. The clerks were more generous. They gave him 204.

Q. And Mr. Wagoner, what do you claim for him?—A. 48.

Q. And what have the clerks returned as his quota?—A. 65.

Q. Now, what is the total difference between what were actually returned and the number that your abstract shows Mr. Butler was entitled to?—A. You mean the total number objected to?

Q. Yes.—A. 146.

Q. That 146 includes 23 that you object to Mr. Wagoner receiving?—A. That includes every ballot that is objected to regardless of who it was cast for.

Q. Or 17, rather. So that there were not 200 votes in the fourth precinct of the Fourth Ward that were illegal and fraudulent?—A. Not according to this recapitulation.

Q. And if you had more time you might reduce that, but that is the best that you have been able to do with your limited time?

(No answer.)

Q. Now, in the fifth precinct of the Fourth Ward how many votes have you allowed Mr. Butler?—A. 61.

Q. And how many did the clerks of election allow him?—A. 324.

Q. And Mr. Wagoner's quota from you is how much?—A. 16.

Q. And how much more generous were the clerks of election?—A. Eight more; total, 24.

Q. What is the total of number of votes by Mr. Butler in the fifth precinct of the Fourth Ward? I will withdraw that question. How many illegal or fraudulent votes, according to your view, in the fifth precinct of the Fourth Ward?—A. There are 180 objected to, and 154 voted for nobody.

Q. How do you arrive at the 154 that voted for nobody?—A. Well, there are several different ways that a ballot could be counted for nobody. If the same ballot number was cast four or five times for any one man or for different men, all those ballots would certainly be illegal. It would be a vote for nobody.

Q. From whom do you get your authority for that?—A. From the attorneys in this case.

Q. You are assuming then that a ballot which had been accidentally or in any way numbered the same as another ballot would deprive that voter of his right to cast his ballot?—A. Yes, sir.

Mr. KINSEY. If he voted five times.

By Mr. WALSH:

Q. Do you have reference to the fact that the same name appears for each of these 124 or whatever it is?—A. No; there might be different causes. If you will

allow me I will show you. Ballot No. 3, voted by Joseph Tiber, 1016 Franklin avenue, the record shows is voted for nobody for the short term for Congress. Ballot No. 4 is the same. G. M. Diddle, and ballot No. 4 was also voted by another man. That vote was cast for Wagoner, so that both ballots No. 4, as claimed by the attorneys for the contestant, were illegal. Ballot No. 4 is cast twice—one for Wagoner and one is a blank. Ballot No. 10, William Alexander, 1328 Gay street, voted once for Wagoner and once for Butler. The attorneys for the contestant claim that that is a vote for nobody.

Q. Was ballot No. 10 voted by the same individual twice?—A. That I don't know. It was voted in the same name.

Q. Twice?—A. Yes, sir.

Q. No. 10?—A. Yes, sir; William Alexander, 1238 Gay. So was ballot No. 22, John Dunton, 1206 Morgan, voted twice—once for Wagoner and once for Butler.

Q. On the same ballot?—A. Well, the same ballot number.

Q. Where did you get that information?—A. From the official records, the carbon copy given to me by Mr. Kinsey.

(Exhibit of sixth precinct, Fourth Ward, and seventh and ninth precincts of same requested and produced.)

Q. I will ask you to look at the sixth precinct of the Fourth Ward and state the allowance conceded by you to Mr. Butler.—A. 22.

Q. And what did the clerks allow him?—A. The clerks allowed him 130 and there wasn't but 122 ballots in the box with his name on them.

Q. Where did you get that information?—A. From the carbon copy before mentioned.

Q. You are stating something that you don't know of your own knowledge?—A. No, sir.

Q. If there was any error in the carbon copy, for instance, if you were short a sheet of carbon copy, you are not in a position to state?—A. Oh, yes; I take the total number on the poll book and there has got to be a ballot number on the count sheet for every name and number on the poll book.

Q. But the poll books and the ballot boxes I will inform you, Mr. Owens, were taken by separate typewriters, so that the information that you secured in the form of your transcript was possibly slightly mixed.—A. That is possible, of course.

Mr. WALSH. I will say for your information that there were working on these poll books eight different stenographers or typewriters and there were working on the boxes three. Now, how many votes were conceded Mr. Wagoner, did you say, from the precinct by the clerks?—A. 27.

Q. And how many by you?—A. 24.

Q. Now, how many votes does your abstract show as fraudulent or illegal?—A. The votes objected to are 97, and 18 voted for nobody.

Q. Now, with reference to the seventh precinct of the same ward, the vote as returned by the clerks for Mr. Butler was how much?—A. 350.

Q. And the number that you allow him?—A. 14.

Q. The number returned by the clerks for Mr. Wagoner?—A. 6.

Q. And by you?—A. 14.

Q. What is the number of illegal or fraudulent votes as returned by you?—A. Total number of votes objected to 339 and 47 voted for nobody.

Q. Now, those objections are objections that are founded on the conclusions of the attorneys, I suppose?—A. Yes, sir.

Q. I hand you the ninth precinct of the Fourth Ward, and I will ask you what is the number of votes returned as cast for Mr. Butler by the clerks?—A. 237.

Q. And what number do you allow him?—A. 39.

Q. For Mr. Wagoner, how many returned by the clerks?—A. 21.

Q. And how many do you allow him?—A. 11.

Q. Now, how many votes do you charge are fraudulent or illegal?—A. 80—the total number objected to and 125 voted for nobody.

Q. Of that 125 10 are objected to as being illegal and shown or allowed by the clerks as cast for Wagoner?—A. Well, that 10 is included over in the 80 or the 125. In addition to that there are 25 ballots with Butler's name on them beginning with 270, first number, and 898 as the last number that do not appear on the poll books at all. The last number of the ballot is 898 and the first number 270. They don't run in numerical rotation: they jump from 270 to 275, and so on, and the last is numbered 858.

Q. Mr. Owens, you don't pretend to believe that any transcript pretends to return a ballot as No. 858, do you?—A. From some work that I have seen by these judges and clerks I would believe almost anything.

Q. From the work that you have seen done by these judges and clerks do you

believe that 858 ballots or any such number were cast in any single precinct?—A. I would believe most anything after what I have seen.

Q. Are there any more eight hundreds in that precinct?—A. No.

Q. That is the only one?—A. No: in almost every one of these 64 precincts there are more ballots in the box than there are entered on the poll books, almost in every case.

Q. That information, though, comes exclusively from information that you have received from those carbon copies?—A. That is all the information I have.

Q. And those you don't know to be correct?—A. No, sir.

Q. Now, in preparing your review, how many persons did you have working on this transcript of abstract?—A. I don't know. I guess in the neighborhood of 30.

Q. For instance, in the preparation of this one transcript here, what was the method used to prepare it?—A. Well, we took what we call the poll books—you have got some of them there, that is what we would call the poll book—ballot No. 1, cast by P. S. Hagerty, 3047 Clark avenue, etc. The poll book is arranged numerically, beginning with No. 1. What we call the count sheets are not arranged in that way. We took a sheet of paper about this size and if the last number on this poll book should be 246 we would put down here from 1 to 246 in numerical order. Then we would put opposite ballot No. 1 who the count sheet showed ballot No. 1 had voted for. These sheets in here are taken from the copies of the poll books, so that we had the poll book arranged in the election commissioner's office numerically, and by this system we arranged the count sheets numerically.

Q. What was the method that each clerk would take? Would each clerk take one sheet and copy off the poll book?—A. Two men worked together at that.

Q. And one call off to the other?—A. Yes, sir.

Q. And then did you have anybody to verify?—A. They reversed the positions, and one called back to the other.

Q. So that all through that work you had used that system for the purpose of securing an absolutely accurate copy with every bit of work that you did?—A. Yes, sir.

Q. Was any of this work done on the typewriter?—A. This work that I did?

Q. Yes, sir.—A. No, sir.

Q. It was all done with pen, where each individual could see everything that he wrote?—A. Yes, sir.

Q. So if the clerk put down the figure 1, he could see immediately that he wrote 1, and anyone watching him work could see that he wrote 1?—A. Yes, sir.

Q. And if he wrote James Brown, you could see that he wrote James Brown, and anyone could see that? Now, for the purpose of securing absolute accuracy, that is the method you used?—A. Yes, sir.

Q. You are perfectly satisfied that that is the only way that you could be perfectly accurate, by calling back to each other?—A. It is the best way I know of to be accurate.

Q. You didn't allow your clerks to call off at the greatest speed possible for the other clerk to write, did you?—A. Well, that was something that had to be regulated.

Q. You endeavored to secure speed consistent with accuracy?—A. Accuracy was the first consideration.

Q. And speed was the second. Although your time was limited and your hurry great, you put on a force to copy?—A. Yes, sir.

Q. And all through your work you maintained that system, as one clerk wrote the other one called off; and then to compare it, the clerk who had been calling off would read what had been written to the one who had been writing?—A. Yes, sir: that is the testimony that I got from the carbon copies, the poll book, and the count.

Q. You have done that practically through all your work?—A. Yes, sir.

Q. For the purpose of verifying every part of it, and having it as accurate as possible?—A. Yes, sir.

Q. And according to your belief from your experience in such matters, that is the only way in which you can get an absolutely accurate copy?—A. That is the only way I know of.

Q. As a notary public you would not certify to copies as being accurate records unless you personally had compared them or had them compared in that manner, would you?—A. I don't think I would.

Q. I will have you look at the ninth precinct of the Fifth Ward, and ask you to state the number of votes which you have consented to allow Mr. Butler in your precinct?—A. 67.

Q. And what have the clerks returned?—A. 145.

Q. And Mr. Wagoner?—A. 49.

Q. Allowed by you?—A. Yes, sir.

Q. And the clerks?—A. 71.

Q. Now, how many fraudulent or illegal votes do you believe were cast in that precinct?—A. 70 votes objected to and 31 voted for nobody.

Q. I will ask you to look at the fourth precinct of the Fifth Ward, and state how many votes your clerical force allowed Mr. Butler?—A. 90.

Q. And what did the election clerks allow him under oath?—A. 496.

Q. How many was Mr. Wagoner permitted to have?—A. 14.

Q. By the election officials?—A. 34.

Q. How many fraudulent and illegal votes do you believe were cast in that precinct?—A. 325 objected to and 101 voted for nobody.

Q. Now, those objections are based on the absence of initials?—A. No.

Q. On the fact that their names were not on the printed registration lists?—A. Different objections—there are seven objections.

Q. What are the objections under which the 312 are objected to?—A. 213 can't be reached by registered letter.

Q. That, in your mind, was sufficient ground for saying that 213 were illegal or fraudulent voters?—A. In the minds of the attorneys, if you please.

Q. Will you let me see a letter addressed to William H. Donovan, 709 Clark avenue, No. 23436, fourth precinct, Fifth Ward?

(Letter produced.)

Q. You are personally acquainted with that William H. Donovan, aren't you—known as "Red" Donovan?—A. I believe I am.

Q. Used to be a billposter and lithographer of the Grand Opera House?—A. I know him—rough head.

Q. George J. Benson, Standard Theater, No. 21684, "Can not be reached by registered letter."—A. George J. Benson, 623 Walnut.

Q. "Not found." Let me see the letter addressed to H. Brockmiller, 119 South Broadway, No. 23432.—A. H. C. Brockmiller.

(Letter produced.)

Q. Let me see No. 20098, Herman Klemp, 114 South Seventh.

(Letter produced.)

Q. Who put that "S" in front of that 114?—A. Well, while not knowing anything about it, I suppose that was put in there by the man who did the comparing of the addressed envelope with the printed slip.

Q. Is that the way they put the changes in, in pencil?—A. Sometimes in pencil, sometimes in ink, I suppose; I don't know.

Q. Did you instruct them to put it in in ink?—A. I didn't give them any instructions about that, except to make the addresses on the envelopes compare with the addresses on the printed lists. I noticed in some cases the printed list would just give the number—say this was Seventh street, not specifying whether North or South Seventh. I don't know if that is the case in this particular. You have the printed list there. Is that mentioned as Seventh street or South Seventh? Is the heading Seventh street?

Q. Yes.—A. I suppose every one of those letters, in making the comparison with the addressed envelopes, are marked in this way.

Q. In sending out this letter they send it out to Seventh street?—A. South Seventh.

Q. Where did they get the information as to the South Seventh?—A. Probably from the map.

Q. Did they go by the map as well?—A. In a case of that kind we would look at the map to see whether South Seventh or North Seventh was in the precinct.

Q. In the fifth precinct of the Fifth Ward how many votes did you return as cast for Butler?—A. 55.

Q. How many did the clerks allow him?—A. 192.

Q. And Mr. Wagoner, by you?—A. 20.

Q. And the clerk?—A. 30.

Q. What is the discrepancy?—A. 140 objected to and 15 voted for nobody.

Q. In the sixth precinct of the Fifth Ward how many do the clerks return for Mr. Butler?—A. 189.

Q. And how many do you allow him?—A. 87.

Q. And for Wagoner, what did the clerks return?—A. 57.

Q. What did you allow him?—A. 28.

Q. What is the number of the illegal vote, according to your view?—A. 103 objected to, 35 voted for nobody.

Q. How many do you allow Butler?—A. 87.

Q. And Mr. Wagoner?—A. 28.

Q. How many did the clerks return for Butler?—A. 189.

Q. And how many did the clerks return for Wagoner?—A. Fifty-seven.

Q. What was the total number of votes cast?—A. According to the poll book or ballot box?

Q. According to the returns certified by the clerks?—A. Two hundred and forty-seven.

Q. So there was one other vote than the 189 and the 57?—A. One scattering.

Q. How do you make 135 of that returned? You say you allowed 87 to Mr. Butler and 28 to Wagoner; that makes 115, doesn't it?—A. Yes, sir.

Q. And you returned 247 as the total number of votes returned?—A. By the official returns the poll book shows 250 votes cast. You asked what the judges and clerks returned?

Q. Yes; certified to.—A. I am totaling what they gave. They gave Butler 189, Wagner 57, 1 scattering, making a total of 247. The poll book shows 254 votes cast, and there are 254 accounted for in this recapitulation.

Q. You say there was 247 returned by the clerks, and you allow 115. Now, deducting 115 from 245 you have 132, don't you?—A. Yes.

Q. You say there are 135 votes that are illegal, 103 objected to, 35 voted for nobody, and 1 scattering, makes a total of 254. There is a difference of 7 between the number shown on the poll book and the total of these three candidates?—A. That is the first time you have asked that question, but that occurs right along, that the poll books don't agree with what they returned. When I say what they return I mean what the official count gives each candidate the totals.

Q. What the official count gives each candidate?—A. Yes, sir.

Q. This is the return certified to by the clerk?—A. By election commissioners' Exhibit B, that is now in evidence.

Q. What is Exhibit B?—A. Exhibit B is a certified copy of the official canvass made by the election commissioners.

Q. And that is a verification—A. Verification of the judges' and clerks' work; there was some difference in them.

Q. What did that verification of the count consist of?—A. Why, it shows the vote in each precinct for each candidate for the short term for Congress, certified to by Louis Kunz, secretary of the board of election commissioners.

Q. That is based on the report of the judges and clerks?—A. Well, if the judges' and clerks' report is correct, yes. They go over the official count, as I understand it, on making the official canvass and return, and very often find discrepancies.

Q. The statements that you have made as to the official returns are the official returns that are contained in Exhibit B, which was filed on the 3d day of January, 1903?—A. Yes, sir.

Q. And the other returns that you have testified to as the result of your canvass and the work of your clerks is based on the carbon copy of a supposed examination or an alleged examination or an alleged report of an examination of the ballots and books in the office of the board of election commissioners of the city of St. Louis, made some time during the month of December, 1902, and about which you have no other information than a carbon copy?—A. That is all, except the word, as I said before, of Judge Kinsey, that that was an exact carbon copy.

Judge KINSEY. It is now 12 o'clock. You have had this witness on the stand for five hours and you have cross-examined him up to this time and we have had no opportunity to reexamine him. We have had but nineteen days in which to put in our testimony and you have had twenty days. I ask the notary to adjourn the further taking of this testimony until Monday morning at 10 o'clock.

Mr. WALSH. We will call attention to the fact that the notice and resolution under which this testimony has been taken explicitly states that the taking of evidence in rebuttal will expire on February 1. This is a special resolution, specially setting forth contestant's rights and contestee's rights, and the five days that were given under that resolution or the time that was given under that resolution was expressly stipulated to be for rebuttal and rebuttal only. We have never been served with a notice of intention to take rebuttal evidence, as required by the Revised Statutes, section 107, which explicitly states that taking of testimony in rebuttal can only be done on five days' notice of the intention.

At this point I adjourned the further taking of said depositions until Monday, February 2, at 10 o'clock a. m.

ST. LOUIS, *February 2—10.30 a. m.*

Pursuant to adjournment as above stated, parties met, and the following proceedings were had:

Mr. KINSEY (attorney for contestant). Mr. Notary, pursuant to the adjournment on Saturday night at 12 o'clock, January 31, 1903, and the objection there

made by the contestee to the further taking of testimony in this contest. I request that you now adjourn and conclude the taking of testimony in this case.

Notary HALTER. I now announce the completion of the taking of testimony in the case of Wagoner *v.* Butler.

Contestant's Exhibit No. 8, part 3.—A. A. Russell, Notary Public.

ST. LOUIS, January 29, 1903—2 p. m.

Parties met pursuant to adjournment, and the depositions were continued as follows:

HERMAN DEMUTH, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Herman Demuth.

Q. Where do you live?—A. 202 South Second.

(The same objection is made to the taking of the deposition of this witness that we did at the opening, with reference to the failure of the contestant to give notice to the contestee of the taking of testimony in rebuttal.)

Q. Did you live at your present address on the 4th day of last November?—A. Yes, sir.

Q. Did you vote at the election held on that day?—A. Yes, sir.

Q. Whereabouts?—A. 210 South Second street.

Q. Do you know what ward and precinct?—A. Precinct I couldn't tell you.

Q. Was it the First Ward, fifth precinct?—A. Used to be the First.

Q. Is it the Fifth Ward, first precinct?—A. Yes, sir.

(Contestee's counsel objects to the taking of any testimony of any witness who resides in the first precinct of the Fifth Ward; objecting to any evidence that has been secured by reason of an examination of the books and ballots in the first precinct of the Fifth Ward, for the reason that this is not evidence in rebuttal, as these poll books were examined by the contestant in his direct examination, and this can not possibly be in rebuttal for anything that has been introduced by contestee.)

Mr. HOLTCAMP. You haven't introduced anything, then, about the vote, have you?

Mr. WALSH. Not in the first precinct of the Fifth Ward.

Mr. HOLTCAMP. You don't claim so many votes or so much majority or anything like that, do you?

Mr. WALSH. You are the ones who are questioning the election commissioners, not we.

Q. Did you vote on that day?—A. Yes, sir.

Q. Did you put your ballot in the box or did someone else put it in?—A. Well, I tell you what happened. I wanted a Republican ticket, so I didn't see none and I didn't like to ask for one and so I voted the Social Labor ticket.

Q. Why did you do that? Were you handed the ballots when you asked for them?—A. I didn't ask for them.

Q. Was there no Republican ticket on it?—A. No, sir; none there. I am Republican; I never was anything else; none there.

Cross-examination by Mr. WALSH:

Q. Did you tell the judges at the time that you wanted to vote the Republican ticket?—A. No; I didn't.

Q. You never said anything?—A. I told you what took place.

Q. You never told them that time that there was no Republican ticket in the package?—A. No; there was none.

Q. So you called for a Social Labor ticket?—A. Yes, sir.

Q. How long have you been living where you are living?—A. I am in St. Louis in 1868.

Q. How long have you been there?—A. Not all the time, sometimes I left; twelve years I am there.

Q. You voted at the elections right along?—A. Yes, sir.

Q. Whenever you wanted a ballot before, you always got it?—A. Just before I did, yes; I always asked for it.

Q. You knew that the judges would have given you a ballot if you asked for it?—A. Yes, sir.

Q. You didn't ask for it?—A. No, sir.

ROBERT WALKER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Robert Walker, Hotel Barnum.

Q. Were you the Republican central committeeman from the Fourth Ward at the last election on the 4th day of November last?—A. Yes, sir.

Q. I shall ask you to state whether or not, as such committeeman, you submitted a list of judges and clerks to the election commissioners for appointment.—A. I did.

Q. Were they appointed?—A. No, sir; not all of them.

Q. How many were not appointed, do you remember?—A. Four or five out of the list were rejected.

Q. Did you submit another list?—A. I did.

Q. Were they appointed?—A. I think they were, afterwards: yes, sir.

Q. Do you know why the names you first sent were not all appointed by them, why they were rejected?—A. I received a communication from the election commissioners' office stating the following names would not be acceptable to the election commissioners, signed by Louis P. Aloe.

Q. Was any reason given?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Did you go to learn whether or not there was any reason for their rejection?—A. I think I did.

Q. Now, do you remember what names were rejected from your first list?—A. Sam Schuling.

Q. What ward and precinct?—A. Fourth Ward; I can't remember the precinct.

Q. Do you know where he lives?—A. At 810 North Ninth street, I think, and Richard Coulter; Dr. Dill; however, I got Dr. Dill afterwards: he was rejected on the first list.

Q. Dr. Dill served on election day?—A. Yes, sir.

Q. That is the gentleman who testified that he acted as judge?—A. I don't know whether he testified or not, Mr. Walsh: one or two others; I can't remember the names: I haven't the memorandum with me.

Q. Who acted in the third precinct of the Fourth Ward?—A. What is the number of that?

Q. I think it takes in the Barnum Hotel.—A. If it does, my brother was in there.

Q. The polling place is somewhere on Market?—A. Meyer and my brother—

Q. P. F. Meyer, where does he live?—A. He is out of the city now.

Q. Do you know where he is employed?—A. No, sir.

Q. Can you give any idea?—A. I think he is traveling for some clothing house.

Q. St. Louis clothing house?—A. No, sir; I think foreign.

Q. Where does he stop when he is in the city?—A. Well, he stays at the Barnum.

Q. Does he keep his family there?—A. Oh, no.

Q. Where does he keep his family?—A. I don't know.

Q. Has his family ever stopped at the Barnum?—A. They may have at times, I don't know.

Q. He is just a transient?—A. I have known Mr. Meyer to be there two or three months at a time, maybe fall and spring.

Q. Was he there on the 14th of October, 1902?—A. He was most of last fall; he was out of employment.

Q. He was there on the 14th of October?—A. He was there.

Q. You are positive of that?—A. I know that.

Q. Was he living there on the 4th of November?—A. Yes, sir.

Q. What room did he have?—A. I think 25; I think that is it.

Q. Where is that located in the hotel?—A. Third floor front.

Q. Washington avenue or Sixth street?—A. Sixth street. I would not be positive, but that is my recollection.

Q. So that if some one should state that he was actually living at 3800 or about 3828 Page avenue, what would you say as to his residence during October, 1902?—A. That he must have been maintaining two houses.

Q. In that respect he occupied a similar position to the contestant, Mr. George C. R. Wagoner. George C. R. Wagoner lives at 4355 Washington avenue and also at 1127 Olive?—A. I don't know that; I understood Mr. Wagoner changed his residence.

Q. What is 1127 Olive street?—A. You ask me to answer these questions offhand.

Q. You are familiar with that neighborhood?—A. I can't remember the number.

Q. What business is conducted at 1127?—A. I think it is an undertaking establishment; I don't know.

Q. Where coffins are displayed and occasionally dead bodies are brought, and where funerals are sometimes held?—A. If that is the number; I don't know.

Q. Don't you know as a matter of fact that George C. R. Wagoner does live at 4355 Washington?—A. No, sir; I couldn't say that; I don't know. I never knew where he lived. I knew he was a new addition to the Fourth Ward.

Q. A very recent addition; you are very familiar with this ward and with the prominent political workers in your ward?—A. Yes, sir.

Q. Every Democrat and Republican is known to you, if he has any prominence?—A. Yes, sir.

Q. George C. R. Wagoner has always been a prominent member of your party?—A. Yes, sir.

Q. Until October, 1902, you never knew him to register in the Fourth Ward?—A. Some time about that time.

Q. Up until that time he was not a resident, to your knowledge, and voter in the Fourth Ward of the city of St. Louis, was he?—A. Not prior; it was about that time, I remember, he came into the Fourth Ward.

Q. Is Mr. Meyer also a recent addition to the voting population?—A. No; I think Meyer stuck out pretty well all summer and spring. I think Meyer's family is away, if my recollection is right.

Q. Do you know whether he maintains another residence?—A. No; I don't think the man could afford that kind of luxury.

Q. What had become of his flat in the meantime?—A. I couldn't say.

Q. You consider then the maintenance of two residences purely a matter of luxurious living?—A. Yes, sir.

Q. And not in any way intended to deceive people into believing he was living in another place than the one he actually occupies?—A. No, sir; I don't think that was the reason.

Q. You said George C. R. Wagoner did become a bona fide resident in the Fourth Ward?—A. I think so.

Q. In the seventh precinct?—A. Yes, sir; I think so.

Q. This seventh precinct of the Fourth Ward is one of the precincts with reference to which there has been an affidavit filed by Charles Conrad?—A. I don't know what the nature of it was.

Q. Do you know that the printed list—from what you know of this printed list of the alleged voters of the seventh precinct, is it correct?—A. You mean, does it correspond with the books? No, sir.

Q. You know it does not?—A. I know it does not.

Q. If any one represented that the printed list corresponds with the books, they are either mistaken or deliberately attempting to mislead?—A. I know, myself, that they don't represent the registration by four or five hundred, probably.

P. M. CUNNINGHAM, of lawful age, being produced, sworn, and examined, deposeth and saith, as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. P. M. Cunningham.

Q. What is your business?—A. Wholesale clothing business, tailors' supplies.

Q. Where do you live?—A. At Tenth and Lucas—

Q. You don't reside there?—A. 4528 Evans avenue.

Q. Do you know Anton Contina?—A. Yes, sir.

Q. How long have you known him?—A. I have known him eighteen years. I guess.

Q. Do you know him intimately?—A. I know him in a business way.

Q. Do you know what his reputation is for truth and veracity and general character?—A. Well, as far as I know, he is a perfect gentleman; we have sold him goods off and on for eighteen years, and his business with us was very satisfactory.

Q. What is his reputation?—A. His reputation, as far as I can say I can not give him a high enough reputation so far as myself knowing him.

Cross-examination by Mr. WALSH:

Q. Your name is what?—A. Contina—

Q. No, your name; you have been doing business with this man how long?—A. Eighteen years.

Q. In that connection your experience with him has been purely mercantile?—A. No, sir.

Q. You haven't any knowledge of just exactly what his neighbors think?—A. My own dealings were satisfactory.

Q. As far as his neighbors are concerned, they may believe him the biggest liar in the world?—A. He could have all I have; his word is enough for me.

Q. In mercantile transactions he has always been perfectly honest?—A. He can have \$10,000 of my money any minute.

Q. Owing to the fact that he is able to repay it?—A. I know it.

Q. He has a good mercantile standing?—A. I think so.

Q. You are assuming, then, that if he secured \$10,000 from you, you could recover it?—A. I think he would be willing to pay; I do not think it would be necessary to go to law; he is as truthful a man as I know.

Q. Now, you have visited him frequently?—A. In the busy season I go twice a month; dull season may be once a month.

Q. Once every month?—A. Yes; always get down there once a month.

Q. When were you down to see him this month?—A. I think about three weeks ago.

Q. That was about the time he was a witness in this case?—A. I don't know; he said he was in a little trouble and wanted us to testify as to his character, as far as we knew. My brother, Mr. Cunningham, was here yesterday; I was out of the city. E. J. Cunningham was here.

Q. Do you know anything about Mr. Contina's having been charged with receiving stolen property?—A. No, sir; I don't.

Q. Do you know anything about the nature of the business he conducts down there?—A. Not outside of my own business; his business looks legitimate business, buying and selling goods, all respectable; I can't tell about his store; it looks respectable.

Q. His store is visited by river men who leave their clothing with him?—A. I saw some steamboat captains and steamboat men there; I disremember their names.

Q. One or two captains?—A. I saw them three or four times.

Q. When was that?—A. Well, I couldn't exactly say; I know of their being there.

Q. Three or four times you have seen river men there?—A. I have seen them there.

Q. That covers a period of probably twenty years?—A. You mean three in twenty years? Every time I was there I saw some respectable people in the store.

Q. You did?—A. Certainly.

Q. That is, they seemed respectable?—A. Looked so to me, as far as I could see.

Q. That was such a novelty that it attracted your attention?—A. Not at all. I don't think so; I don't think Mr. Contina would have anyone in his store that was not respectable; if he would, he would deceive me very much.

Q. Deception of that character has been practiced on you, hasn't it?—A. No, sir.

Q. If Mr. Contina has been engaged in receiving stolen goods?—A. I don't know anything about that. I know, I am positive—I am testifying to my own dealings with him, what I have seen. I am not in that line of business.

GEORGE POPP, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. George Popp.

Q. Where do you live?—A. 110 Spruce.

Q. Did you live there on the 4th day of last November?—A. Yes, all the time.

Q. Did you vote at the election held in November?—A. I did.

Q. Where did you vote?—A. Republican ticket.

Q. Where did you vote?—A. Second and Poplar.

Q. Do you know the persons who were employed there as judges and clerks?—A. I knew Heinz and Munt.

Mr. WALSH. We will object to any witness along this line, for the reason that this is not rebuttal; that it grows out of an investigation of the ballots and books—poll books made by the contestant—and should be evidence in chief or direct.

Q. What ticket did you vote?—A. Republican.

Q. Straight Republican?—A. Yes, sir.

Q. Did you scratch any name on it?—A. I didn't have no lead pencil in my hand.

Q. Then you didn't scratch it?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Do you write, Mr. Popp?—A. I can write German and little English; I can write and read German and little English, too.

Q. Did you look at your ticket, the one you voted, to see what it was?—A. Sure I did.

Q. Just state what method you pursued when you went in to get your ballot, what did you do; when you went in to get your ballot, did you ask the man in there for a ticket?—A. I told them I wanted a Republican ticket.

Q. Then you were given one?—A. Yes, sir.

Q. Did one of the judges tear off your ticket?—A. One of them; yes, sir.

Q. Do you know who it was?—A. I tore it off.

Q. So that you know you tore off the Republican ticket?—A. The Republican ballot.

Q. Now, where was the Republican ballot in that package of ballots: where was it?—A. I don't know where it was.

Q. You don't remember exactly where it was? [A pause.] What do you say, Mr. Popp?—A. Well, it was in the bunch. I tore it off and put the Republican ticket in.

Q. When you did pull it off did you give it to one of the judges?—A. I pull it off and put in.

Q. Into the box, in the ballot box, they put it in?—A. I guess it went in: I don't know: I don't stay there.

Q. Just as soon as you gave the ballot to the judge did you go right out? Did you see the judge put it in?—A. Yes, they put it in.

Q. You saw that?—A. I saw that.

Q. Now, from the time that you got the ticket, the package of tickets, and took yours out, you never let anybody else touch your ballot?—A. No.

Q. No one else touched it?—A. By myself.

Q. You saw it going to the box?—A. I saw it go in the box—straight Republican ticket.

Q. You know that up until it was put in the box nobody touched it?—A. Nobody touched it no more after put in the box.

Q. Then you went out?—A. I went out and went to work.

Q. Do you know any of the judges or clerks in there?—A. I know Heinz in there, Henry Munt, his son, Phillip.

Q. Did you give the ballot to Heinz: did he take it in?—A. I gave to him.

Q. Then he put it in the box?—A. He put it in the box.

Q. You know that Mr. Heinz is an honest man, or don't you believe he is?—A. I know he is.

Q. What is he, Republican judge?—A. Yes, sir.

Q. You know he put your ballot in the box?—A. He put in.

Q. Do you think that Mr. Henry Munt or Phil marked it up?—A. No, he I don't think did.

Q. Did you know Mr. Matfield?—A. I know him, too.

Q. Do you think he touched your ballot?—A. No.

Q. You feel sure that these three men are honest?—A. Yes, all honest.

Q. What precinct was this; what ward?—A. Fifth Ward—what precinct? 210 Poplar.

Q. Is that where the polling place was, 210?—A. That is where it was.

Q. You know it was there?—A. Yes, sir.

Q. At 210 Poplar?—A. 210, on Second street.

Q. (By Mr. HOLT CAMP.) How old are you?—A. Over 60.

Q. (By Mr. WALSH.) Just a moment, Mr. Popp, where were you born?—A. Germany.

Q. How long have you been in this country?—A. 1868.

Q. When were you naturalized? When did you take out your papers?—A. Took out my papers under Ziegenhein, six or seven years ago; worked for the city of St. Louis.

Q. You worked under the Ziegenhein administration?—A. Oh, I worked on the streets long enough. I like to get some work again there, too.

Q. Then you are a Ziegenhein Republican, are you?—A. Yes.

ARTHUR KIBURZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. What is your name?—A. Arthur Kiburz.

Q. Where do you reside?—A. 611 South Second.

Q. Did you reside there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote from there?—A. Yes, sir.

Q. Where did you vote?—A. At 603 South Second.

Q. Do you know the ward and precinct?—A. Fifth Ward, second precinct.

Q. Will you state for whom you voted for Congress for the short term from the Twelfth Congressional district?—A. Wagoner.

Q. If your ballot or the poll books should show you recorded as having voted for any one else, would that be correct?—A. No; it would not.

Q. Your ballot was cast for George C. R. Wagoner?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. You say you voted from 603?—A. 603 South Second.

Q. You voted from there?—A. At the polling place.

Q. Oh, that is where you actually cast your vote?—A. I live at 611 South Second.

Q. Is John F. Kiburz any relation to you?—A. He is my brother.

Q. Do you know Emil Remmler?—A. Yes, sir.

Q. Did you have any conversation with him about this case?—A. No, sir.

Q. Did you see him at all in connection with it?—A. I didn't know anything about it until my mother gave me the subpoena last night.

Q. You got the subpoena last night and not before that time?—A. No, sir.

Q. The ballot that you cast was a straight Republican ballot?—A. No, sir.

Q. You had scratched some names?—A. Yes, sir.

Q. Did you vote in connection with the charter amendments?—A. No, sir.

Q. You didn't touch our constitutional amendments?—A. No, sir.

Q. When you prepared your ballot, or after you had prepared your ballot, what did you do with it?—A. Gave it to the Democratic judge, Weatherford.

Q. Did you see him place it in the box?—A. Yes, sir; I waited until that and then I left.

Q. From the time you had made your crosses and changes on the ballot until the time it was put in the box you know absolutely that no one else touched it; that there was no opportunity for anyone to tamper with it?—A. No; that I know.

Q. I think you stated your ballot was put in the box?—A. After I put it in the box I walked out.

Q. I will ask you the question as to whether there was any opportunity for anyone to tamper with your ballot from the time you prepared it until it was placed in the box?—A. No.

Q. You gave it to the judge to put in the box?—A. Yes, sir.

Q. Do you know that there was absolutely no opportunity for anyone to tamper with it?—A. No; there was not.

Q. Do you know the judges and clerks at that polling place?—A. Yes, sir.

Q. Do you consider them honest men?—A. So far as I know.

Q. You are well acquainted with them?—A. I saw them several times.

Q. You never had any occasion to charge them with being dishonest?—A. No, sir.

Q. You believed them perfectly honest?—A. Yes, sir.

Q. So that if it should be shown by the record, which the contestant has, that your ballot was cast for some one else, wouldn't you be more willing to question that record than the honesty of these officials?—A. As to that, why, I shouldn't think that they would do anything like that.

Q. You feel sure that they are honest?—A. Yes, sir.

Q. Don't you think it is more likely that in making a hurried copy of the number and the name and so on that a mistake might have been made by the clerk?—A. Well, I know I didn't make any.

Q. You know you voted your ballot straight?—A. Yes.

Q. You feel perfectly sure the judges and clerks were honest?—A. So far as I know.

Q. So that if there was any error of the kind that Captain Holtcamp has referred to, that is not, in your mind, the fault of the judges; if, on examination of the ballots, it should show that your ballot was not cast for Mr. Wagoner, but for Mr. Butler, don't you think more likely that in the hurry and in the rush of making that copy, that the stenographer is more likely to have made the mistake in that number?—A. Well, I don't think they would do anything wrong.

Q. You mean the judges or clerks?—A. The judges and clerks. If there was a mistake made, I didn't make it.

Q. Don't you think the clerk who was making the copy during these proceedings was more likely to have made the mistake in putting down the wrong number?—A. He might have done that.

Q. So that if there is any mistake you are more willing to attribute it to a mistake of the clerk than to the dishonesty of the officials who acted in your polling place?—A. Yes, sir.

JOE EISINENGER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. State your name, please.—A. Joe Eisinenger.

Q. Where do you live?—A. 214 Valentine.

Q. Did you live there on the 4th day of last November?

Mr. WALSH. I will make the same objection to this general testimony. The eighth precinct of the Fifth Ward are the only poll books examined by contestee, and we will object to any introduction of any evidence with reference to the Fifth Ward outside of the eighth precinct as being evidence in chief, evidence direct, and not growing out of any testimony by the contestee.

Q. Where did you live on the 4th day of last November?—A. Poplar and Second.

Q. In the second precinct of the Fifth Ward?—A. Yes, sir.

Q. Whom did you vote for for Congress?—A. I voted the Republican ticket.

Q. Did you scratch the name of anyone?—A. Scratched one ticket, one name.

Q. Who did you vote for for Congress?—A. Republican.

Q. You voted for the Republican candidate?—A. Yes, sir.

Q. You didn't scratch the Republican candidate on your ticket?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. You say you didn't scratch any name?—A. I scratched a name, but not Congress.

Q. When you went into the polling place did you get a ballot from the judges?—

A. Yes; I got a whole package.

Q. And you took one?—A. I took one out.

Q. Did you take the Republican ballot?—A. They showed me where to take the Republican ticket.

Q. They showed you?—A. They showed me.

Q. They told you where they were?—A. Yes.

Q. Explained it all to you?—A. Yes.

Q. You can read?—A. Yes; I can read a little.

Q. But not well enough to read the ticket; you asked the judge to do that?—A. Yes. I don't know whether he was a judge; he was standing there.

Q. You know Mr. Heinz?—A. No.

Q. Do you know Mr. Munt?—A. I don't know him; I don't know nobody.

Q. Well, when you got your ballot you made a scratch on one of the names?—A. Yes, sir.

Q. And then what did you do you with your ballot?—A. I give it back.

Q. To the same judge?—A. I give it to the sheriff.

Q. To the sheriff?—A. To the sheriff up there.

Q. Was there a sheriff there?—A. A fellow there that took it and put it in the box.

Q. The fellow that took the ticket was the sheriff?—A. Whether he was, I don't know.

Q. Did he say so?—A. No; somebody else said so.

Q. You gave your ticket to the sheriff?—A. I done what he says.

Q. Then what did the sheriff do with your ticket?—A. Put it in the box.

Q. You saw him put it in the box?—A. Yes, I gave it to him; he put the number on, too.

Q. Speak out a little louder. I can't hear you. Who told you this man was the sheriff?—A. That was down on Third street, the sheriff I told you; the place is up on Third and Poplar. I was there in the saloon and this man comes along and I ask where to go and they say there is the sheriff, you go after him and go down; he says the sheriff goes right down now; I don't know if he was; that man, the bartender, says that is the sheriff; go along down after him and you find the place.

Q. This man took you down to show you where the polling place was?—A. Yes, sir.

Q. Did you know him at the time?—A. No, sir; I don't. I done give the ticket to him; he was in there.

Q. Then the man you were told was the sheriff, you didn't give him the ticket?—A. No.

Q. Who did you give the ticket to?—A. I give it to the man what takes the tickets.

Q. And he was the man that was standing right by the box?—A. Yes.

Q. Who was that?—A. I don't know whether judge or not.

Q. You gave the ticket to him; what did he do with it?—A. He write a little something on it and put it in the box; I was little in a hurry; I didn't have much time; he wrote something on the ticket and put it in the box.

Q. He put the ticket in the box; you saw him?—A. Yes, sir.

Q. You say this man runs a saloon?—A. No, runs no saloon.

Q. You mean you were in the saloon?—A. Yes, I asked in the saloon.

Q. Do you know the name of this man; did he have black hair, real black hair?—A. Yes; pretty long man, black mustache.

Q. Do you know his name, would you if I called it?—A. No.

Q. Do you know whether his name was Chris?—A. No.

Q. Do you know Chris Schawaker?—A. No.

Q. You don't know whether Chris Schawaker was the man they called the sheriff or not?—A. No, I couldn't tell you; I don't know.

Q. You know your ticket after you gave it back to the judge, you know the judge put it in the box?—A. Yes, sir.

GRANDERSON BOYD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name, and where do you live?—A. Granderson Boyd, 216 Valentine.

Mr. WALSH. We will object to any introduction of any evidence with reference to the Fifth Ward outside of the eighth precinct as being evidence in chief, evidence direct, and not growing out of any testimony by the contestee.

Q. Did you live there on the 4th day of last November?—A. I did.

Q. Where did you vote?—A. Down on Second and Poplar, but I don't remember the number.

Q. Do you know the precinct number and ward?—A. I think it's the Fifth Ward, if I ain't mistaken.

Q. Do you know for whom you voted for Congress for the short term?—A. Yes, sir. I went in and got my ballot, and I went up to the table, to the Republican judge. He gave me a straight Republican ticket, but I couldn't read none, so he pulled out one and handed it to me, and I asked him to fix it for me, and he asked me what I want, and I said to put it straight. I told him just what I wanted, just like it was straight Republican ticket, and he promised he would fix it up for me.

Q. Did you see him fix it up?—A. If I was standing here and he was sitting there and he was putting something on it—I don't know whether it was writing or numbers; but then he handed it over.

Q. What became of it then?—A. Well, I was expecting him to put it in the box.

Q. You expected that—you told him you wanted the straight Republican ticket?—A. I did, sir.

Cross-examination by Mr. WALSH:

Q. Did they fix it for you?—A. Didn't you hear me tell that man over there what I don't? I am not certain. I was standing over on this side, and he handed it over there to the other man, and I was on this side from him and I didn't see what he done with it.

Q. You don't know whether he put it in the box?—A. I didn't see him slip it in the box. I was not paying that much attention; I was expecting him to do like I asked him.

Q. Well, you were expecting it. Don't you know he did?—A. Didn't you hear me tell you?

Q. I am asking you. I don't want you to be acting smart. I want you to tell me whether your expectations were fulfilled—you were watching to see your expectations fulfilled?—A. I ain't acting smart. I tell you just like I tell any other gentleman. I went and I called for the Republican judge just like I always do and I go to vote. A gentleman was there, and he handed me a straight Republican ticket, and I told him I couldn't read nor nothing. Then he fixed the ticket. I told him to fix it straight Republican. It was before him like that. He write a little on it, folded it up, and I wasn't paying attention to see when he put it in; I didn't notice the box. If I was asking you to do the business for me, Judge, to fix the ticket, I would expect for you to do like I ask without me watching you.

Q. You feel satisfied that he did do it?—A. Of course I don't know that much.

Q. You have no reason to believe he did not?—A. No, sir; I got no other reason.

Q. Now, the man that took the ballot and prepared it for you was the Republican judge?—A. He said he was; yes, sir.

Q. What kind of looking man was he?—A. I couldn't tell you; I didn't pay that much attention to him; there was only two men in there that I know the faces—one was a barber.

Q. Mr. Heinz?—A. I think that is his name. I ain't certain; he is a gentleman that lives down on Second.

Q. Does he run the barber shop?—A. Yes; he was in there, and there was a young gentleman in there that his mother keeps a butcher shop.

Q. Mr. Munt?—A. No, sir.

Q. Mr. Matfield?—A. No, sir; she keeps a butcher shop down on Second just below; I can't think of the gentleman's name.

Q. Was he one of the judges?—A. No, sir; he don't have nothing to do at all; he was just standing across the house.

Q. He was standing near the door?—A. Standing near the house. I don't know the name.

Q. Was it Boepple?—A. Yes; Boepple—I don't know his name. I have seen him around; there were three or four men there.

Q. Well, after you say you got your ballot, this gentleman prepared the ballot for you that you asked him to?—A. Yes, sir.

Q. What did he do with it?—A. He handed it over to another gentleman.

Q. You saw him hand it over to somebody else?—A. I saw that myself.

Q. And that man was standing right by the ballot box?—A. Yes, sir; standing right by the ballot box.

Q. The one who prepared your ballot handed it to the one standing near the ballot box?—A. That is right.

Q. So that when it was prepared it went into the box?—A. Yes; well now, sir, I would not swear that; there was a man over there what said to me, "There is a Republican judge." I don't know whether he was; I don't know his name or nothing, but I went over to him, and he says he fixed me up a straight Republican ticket.

Q. And that is what he did as far as you know?—A. As far as I know.

Q. You could not read nor write?—A. No, sir.

FRANK XAVIER (through interpreter John F. Koshonsky), of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 214 Valentine.

Mr. WALSH. We will object to the introduction of any evidence with reference to the Fifth Ward outside of the eighth precinct, as being evidence in chief, evidence direct, and not growing out of any testimony of the contestee.

Q. Did you vote at the election held November 4?—A. Yes, sir.

Q. Where?—A. Poplar street, Second and Poplar, on the corner.

Q. Do you know the ward and precinct?—A. No; Fifth Ward. I don't know what precinct.

Q. Now, what ticket did you vote?—A. Straight Republican.

Q. Did you scratch any names at all?—A. No; I asked for straight Republican ticket and they gave it to me, and I voted the straight Republican ticket.

Q. Did you scratch any names?—A. No; I never took the ballot, only told him to vote the straight Republican ticket.

Q. Well, did you see your ballot put in the box?—A. I don't know whether the ballot went in the box.

Cross-examination by Mr. WALSH:

Q. Are you a native of America?—A. Oh, no; Baden, Germany.

Q. How long have you been in this country?—A. Thirteen years.

Q. Where did you secure your naturalization papers?—A. Here in St. Louis.

Q. When?—A. I took the first papers long before and the second papers when McKinley was elected.

Q. Where?—A. St. Louis.

Q. Before whom; in what court?—A. First papers in court-house, on Fourth street; the second papers in the criminal court.

Q. What was the name of the judge who sat in the criminal court and issued the second papers?—A. I don't know.

Q. Who took you up at the court of criminal correction to get your naturalization papers?

Mr. HOLTCAMP. The witness has not said that he got his papers in the court of criminal correction.

Q. Who took you up to the criminal court?—A. Young man in Schawaker's office.

Q. What court was it that you secured your second papers in?—A. In the criminal court.

Q. Was it the court of criminal correction?—A. I don't know; all I know is in the criminal court.

Q. How many were there at the time you secured your second papers?—A. Ten or 12; I can't tell exactly.

Q. Were you all sworn together?—A. No; we were sworn in separately.

Q. Didn't you say just now that there were 4 or 5 of you sworn in at the same time?—A. I don't know exactly how many.

Q. Were there 20?—A. No; 4 or 5, I guess.

Q. Who interpreted for you there?—A. "How long I been in this country?" "How long in the State?" I answer what they ask.

Q. You had no need of an interpreter for your naturalization, but you need an interpreter here to give your evidence.—A. This is more particular matter.

Q. This is more particular than the question of making you a citizen of the United States, is it?—A. Yes, sir.

FRITZ SCHREIER, of lawful age, being produced, sworn, and examined on behalf of the contestee, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Fritz Schreier.

Q. Where do you live?—A. 509 South Second street.

Q. Did you vote at the election held on the 4th of last November?—A. Yes, sir.

Q. Whereabouts?

Mr. WALSH. I object to the introduction of this witness for the same reason as to the other witnesses, that it is not testimony in rebuttal, but is evidence in chief.

Q. Where did you vote?—A. Poplar and Second; I don't remember the number.

Q. What ticket did you vote?—A. Republican, straight.

Q. Did you scratch any name?—A. I didn't scratch any name.

Cross-examination by Mr. WALSH:

Q. Who runs that house where you live?—A. Morris Marti.

Q. Who all live there?—A. A whole bunch.

Q. How many?—A. Many times eight and nine; many times they go out to work.

Q. Well, how many live there?—A. I can't say exactly.

Q. Eight or nine?—A. Many times more; many times five or six.

Q. But many times eight or nine?—A. Yes, sir.

Q. How many times are eight or nine or five or six there?—A. I don't know.

Q. How many of these do you know?—A. I know pretty near all.

Q. Tell us how many you know.

Mr. HOLTCAMP. I want to object to attorney for contestee's question, on the strength that his own objection that this testimony is not relevant, not being in rebuttal and not growing out of the examination in chief, and I wish to state right here that if the attorney for contestee persists in this line of examination I will withdraw the witness.

Mr. WALSH. We will object to his being withdrawn; he has been placed upon the stand by the contestant for all purposes.

Mr. HOLTCAMP. No, sir; he has not; and if you persist in the examination on this line I will take him off the stand.

Mr. WALSH. You take him off the stand and I protest against it. I understand why you want to take him off; I am going now into a Republican house to discover the registration of the voters in that house, and you are trying to prevent it.

Mr. HOLTCAMP. That is not true; but I will take him off, as I said, if you persist in this line of examination.

Q. How many do you know at 509 South Second street?—A. I know a man named Coffman; I don't talk much to that man.

Q. Who else?—A. Jack Brenneman, John Straight, Jake Watts; I couldn't tell all the names.

Mr. HOLTCAMP. If you can tell, say so, and don't waste our time.

A. I don't know whether they were there on election day.

Q. How do you say you voted?—A. Straight Republican.

Q. You read your ticket?—A. Yes, sir.

Q. What was the name of the Republican candidate?—A. I couldn't tell.

Q. The candidate for Congress?—A. Was that George Wagoner? I can't tell you that.

- Q. You are not sure of his name?—A. No.
 Q. How do you know you voted for him?—A. How do you mean?
 Q. Did you go in and get your ticket?—A. I took this ballot—this Republican ballot—out of the bunch, wrapped it together, and gave it to the judge.
 Q. Did you see your ticket placed in the box?—A. Yes, sir.
 Q. You know the judges?—A. I don't know the name; I know the faces.
 Q. Was Mr. Heinz there, the barber?—A. A big, stout fellow? I think he lives on Third street. I don't know.
 Q. Did you see him place your ballot in the box?—A. I saw it.
 Q. You waited until he placed your ballot in the box?—A. No; I gave it right to him.
 Q. Do you know that ballot went in that box without any change; you are positive of that?—A. Yes; I gave it to him; nobody touched it to handle it.

ALEX WELLS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. What is your name?—A. Alex Wells.
 Q. Where do you live?—A. 309 Spruce.
 Q. Did you live there in last November?—A. I did.
 Q. Where did you vote, Mr. Wells?—A. 312 South Fourth street.
 Q. Do you know the ward and precinct?—A. Fifth Ward, and I don't know the precinct; I think the First.
 (Contestee's counsel makes the same objection to this witness as to former witnesses, on the ground that it is not testimony in rebuttal.)
 Q. What ticket did you vote?—A. Republican.
 Q. Did you scratch at all?—A. No, sir.

Cross-examination by Mr. WALSH:

- Q. Can you read, Mr. Wells?—A. I can read print.
 Q. Did you read your ballot?—A. Yes, sir.
 Q. You are sure that the ballot you voted was the Republican ballot?—A. Yes, sir.
 Q. What precinct and ward did you say?—A. Fifth Ward, 312 South Fourth. I forget the precinct.
 Q. What did you do in getting your ballot: how did you get it?—A. I went and cut off the straight Republican ticket and handed it to the judge.
 Q. Did you see it put in the box?—A. Yes, sir.
 Q. You are positive it went in the box?—A. I know it; I was looking.
 Q. Did anyone have a chance to tamper with it or make any changes in it?—A. No, sir; it went out of my hands into Hick Monahan's hands.
 Q. You know he put it in the box?—A. Yes, sir.
 Q. Do you know the other judges and clerks in there?—A. I know, but I can't tell their names.
 Q. Do you believe any one of them would tamper with their ballot?—A. If I know it? That I would not think they do anything like that.
 Q. You feel that they were honest men and didn't touch your ballot?—A. I do.
 Q. So, if any error occurred and your vote was not counted for Mr. Wagoner, you feel satisfied that that is a mistake?—A. Yes, sir.
 Q. And not that the ballot was tampered with or in any way altered by any of these men: you feel certain of that?—A. That I didn't see.

SANTO DANI, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. What is your name?—A. Santo Dani.
 Q. Where do you live?—A. 320 Walnut.
 Q. Did you vote at the last election, held on November 4th?—A. Yes, sir.
 Q. Where did you vote?—A. Republican, straight.
 Q. Where?—A. On Fourth street—410 Clark.
 Q. Do you know the precinct and ward?—A. It was a cigar store; I think Fifth Ward near Fourth and Clark avenue; I don't remember the precinct.
 Q. What ticket?—A. Republican.
 Q. Did you scratch?—A. Nothing.

Cross-examination by Mr. WALSH:

Q. How did you vote, Mr. Dani?—A. I took a bunch of ticket; I pull Republican out; I give to judge; he put in the box.

Q. And you saw that ticket go into the box?—A. Yes, sir.

Q. And you know that it was in the box?—A. I look at him.

Q. During that interval, between the time you gave the ticket to him until it was put into the box, did anyone else handle it?—A. That is all.

Q. You know your ballot went in the box?—A. I know I saw my ticket go right in the box.

Q. You never left until it did?—A. Sure not.

Q. Nobody else touched it?—A. No; nobody touched it but me and the Democratic judge.

OTTO WIESSE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Otto Wiese.

Q. Where do you live?—A. 824 Walnut.

Q. Did you vote in this city on the 4th day of last November?—A. Yes, sir.

Q. Do you know what ward and precinct?—A. Fifth Ward.

Mr. WALSH. We will object to the introduction of this witness for the same reason as to the previous witnesses—that it is not testimony in rebuttal.

Q. What ticket did you vote?—A. That is personal.

Q. You decline to answer?—A. That's the only answer I'll give.

Q. Do you decline to say what ticket you voted?—A. Yes; I do.

HERMAN KNECHT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 318 South Fourth.

Q. Did you vote at the election held on the 4th day of last November?—A. Yes, sir.

Mr. WALSH. We will object to the introduction of this witness for the same reason as we made to previous witnesses—that it is not testimony in rebuttal.

Q. Where did you vote? Do you know the ward and precinct?—A. I guess the Fifth Ward.

Q. Do you know the precinct?—A. I don't know. 312 South Fourth street is the polling place.

Q. Will you state what ticket you voted?—A. Yes, sir; the straight Republican ticket.

Q. And did you scratch at all?—A. No, sir.

Q. And if the ballots—if your ballot should be shown as recording that you did not vote for the Republican candidate for Congress, what would you say?—A. How you mean? I don't understand.

Q. If the ballots should show that you did not vote for the Republican candidate for Congress, what would you say?—A. I say I voted for it; I am sure of it.

Q. You did not scratch your ticket at all?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Mr. Knecht, you have no knowledge that there is any record of your vote except the ballot that you cast?—A. No.

Q. If some one states that your ballot is cast for anyone else than Wagoner, then you think that person is mistaken?—A. Of course mistaken.

Q. They are simply mistaken, that is all?—A. I don't know; I know I cast the State Republican ticket; I know that, sure.

Q. You are not going to say that your ballot was altered in any way at the time?—A. No.

Q. When you prepared your ballot what did you do with it?—A. I handed it to the judge.

Q. What did the judge do with it?—A. I can't say, except he put it in the box.

Q. You saw your ballot go into the box?—A. Yes, sir.

Q. During the interval between the time you got your ticket and you handed it to him did anyone else have it?—A. No, sir.

Q. No one had the ballot except the judge, and he placed it in the box?—A. Yes, sir.

Q. You know yourself that your ballot went into that box untampered?—A. That is sure.

ADOLPH F. COUGOT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Adolph F. Cougot.

Q. Where do you live?—A. 209½ South Seventh.

Q. Did you vote on election day in this city?—A. Yes, sir.

Q. Do you know where?—A. The Collins Building, about 609 Walnut street.

Mr. WALSH. We will object to the introduction of this witness for the same reason as to previous witnesses, that it is not testimony in rebuttal.

Q. Do you know the ward and precinct?—A. The Fifth Ward, fourth precinct.

Q. Will you state for what party you voted?—A. Straight Republican.

Q. And not scratched?—A. One scratched in the amendments.

Q. For whom did you vote for Congress?—A. I voted for George R. Wagoner.

Mr. HOLTCAMP. In order that there may be no question, I will ask you to add another letter to that name, make it George C. R. Wagoner.—A. George C. R. Wagoner, I think that is the name.

Cross-examination by Mr. WALSH:

Q. Mr. Cougot, you went to the polls and got your ballot—A. I went to the polls at 8.30 in the morning.

Q. What did you do?—A. I gave my name. They looked over the books, found me all right, gave me the tickets. I went in and fixed my ticket and came out, and the Democratic judge was not in his position where he should be at the box, he was talking to James Cronin on the side, and I handed my ticket to another judge there on the side and he took it and throwed it down on the table; I kept my eye on that ticket; the other Democratic judge was over there, and I says I am waiting here to see that ballot go in the box, so then the Democratic judge came back and took my ticket and numbered it and placed it in the box, and that is all I know.

Q. And so you know that your ballot was deposited in the box?—A. Yes.

Q. You know that nobody touched it or tampered with it after it left your hands, except the Democratic judge, and he only to put it in the box?—A. As far as my knowledge; I didn't see anything more.

Q. Your knowledge is very accurate?—A. I watched it very close; I didn't see anything else.

Q. You don't know that it was tampered with?—A. No; not that I saw.

Q. Now, you know absolutely beyond any question that the ballot that you handed over was not tampered with between the time it left your hands and the time the Democratic judge put it in the box?—A. It went into the box, to the best of my knowledge—he could have sleight-of-handed me—but just of my knowledge, he placed it in the box.

Q. You were watching it, weren't you?—A. Yes, sir.

Q. You kept your eye on it, didn't you?—A. Yes, sir.

Q. In regard to your statement about the sleight of hand, do you think your ticket was tampered with?—A. No; that judge didn't. There was one at the other end of the room.

Q. Which judge, the one you gave the ticket to?—A. No; I told him I was waiting to see my ticket deposited, and he called to the other.

Q. You are positive that ticket went in the box?—A. I couldn't say; he might have sleight-of-handed me; I couldn't say anything about that. To the best of my knowledge he put the ticket in the box.

Q. Do you know the name of that judge?—A. I do not.

Q. Was it Herman?—A. I don't know; I never heard his name; I never heard he was a sleight-of-hand performer.

Q. This little aside as to sleight of hand, what does it mean, that your ballot was not put in the box?—A. No; to the best of my knowledge it was.

Q. You know it was deposited as positively as you know you are sitting there, don't you?—A. To my best knowledge; yes, sir.

Q. Were you satisfied to leave that polling place?—A. Yes; I was satisfied my ballot went in the box.

MOSES SARGENT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Moses Sargent.

Q. Where do you live?—A. 706 North Fourteenth.

Q. Did you vote in this city on last November?—A. Yes, sir.

Q. Where?—A. I don't know the number of the place exactly.

Q. State the ward and precinct.—A. Sixth Ward and fourteenth precinct. I think. They have split these wards and precincts up so that I don't know where I voted.

Q. Where was the polling place?—A. Near Seventeenth—near Sixteenth, on Morgan, on the south side of the street. I don't remember the number of the house.

Q. Will you state what ticket you voted?—A. I voted the Republican ticket.

Q. Will you state for whom you voted for Congress for the short term?—A. Straight Republican.

Q. You didn't scratch?—A. Only one thing.

Mr. WALSH. We desire to object to the testimony of this witness on the grounds previously given, for the reason that this is not testimony in rebuttal. The fifth, seventh, and eighth precincts of the Fifteenth Ward were not examined by the contestee, and therefore this is not testimony in rebuttal.

Q. You didn't scratch a single candidate?—A. No, sir.

Q. You voted the ticket straight?—A. All except one little word—that school business.

Q. One of the amendments?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. Do you read?—A. Yes, sir.

Q. Did you read your ballot?—A. I read the heading of it.

Q. Without making any changes on the ballot you voted it?—A. No changes at all, sir.

Q. You voted it as it was?—A. Voted it, except that one change.

Q. Was that with reference to the Congressman?—A. No, sir; amendments.

Q. Then what did you do with your ticket?—A. I folded it up and gave it to the supposed judge. I don't know whether he was a judge or not.

Q. The supposed judge?—A. I supposed he was a judge.

Q. What made you say that?—A. Well, he was sitting by the box.

Q. What was your reason for saying "supposed?"—A. I don't know; I simply said it.

Q. You gave it to the man who was there as a judge?—A. Yes, sir.

Q. You know that he was a judge?—A. I was told he was; yes, sir.

Q. He was acting in the capacity of a judge?—A. Yes, sir.

Q. On what was your supposition based; why did you say "supposed?"—A. I simply made that remark without thinking.

Q. Was it because you didn't know?—A. I simply said supposed judge.

Q. You gave your ballot to this judge, and what did he do with it?—A. Took the ballot and started it in the box, and I left.

Q. He started it in the box?—A. I saw it started, and when I saw it started in I thought he let it drop, at least I suppose he did.

Q. From the time that you gave the ballot to him—from the time you prepared it till you gave it to the judge—did anyone else handle your ballot?—A. No, sir.

Q. You know no one else did?—A. I am positive.

Q. No one tampered with it?—A. No one but myself.

Q. So that when the ballot was placed in the box it was exactly in the condition in which you had tendered it?—A. Yes, sir.

Q. Did you know any of the judges or clerks there?—A. I don't know them personally. I know one man; his name is supposed to be Russell.

Q. Is he a colored man?—A. Jim Russell, I think that is his name.

Q. Is he the man who circulated the petition for Geo. C. R. Wagoner?—A. I don't know. I don't know whether the man was connected with any of these campaign businesses at all.

Q. Do you know where Russell lives?—A. No, sir.

Q. What is his business?—A. I don't know what his business is. He used to be in the undertaking business.

Q. Does he live over on Market? Is that the same Russell who lives at 1322 Gay street?—A. I don't know.

Q. Is this the same one that did live at 1322 Gay street?—A. I don't know where he lives. I never knew where he lived. I knew where his place of business was, between Fourteenth and Fifteenth on Market.

Q. Where do you work?—A. For the St. Louis Fair Association.

Q. At their downtown headquarters?—A. They have none downtown.

Q. The St. Louis Fair Association?—A. Yes, sir; they haven't had downtown headquarters for some time.

Q. At the race track?—A. Yes, sir; and fair.

Q. The race track and the fair association, what do you do there?—A. I have charge of all their books and money during the races and the fair, and I work around and attend to their downtown business, such as banking business and collecting.

Q. You work for Cella, Adler & Tiles?—A. Yes, sir.

Q. Those are the gamblers that run that place?—A. Those are the gentlemen that own the fair grounds there.

JOHN F. KOSHOWSKY, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. John F. Kohshosky.

Q. Where do you live?—A. 704 Market.

Q. Did you vote at the election held on the 4th day of November?—A. Yes, sir.

Q. Where did you vote?—A. On Olive street, between Sixth and Seventh.

Q. Do you know the ward and precinct?—A. Fifth Ward, fourth precinct.

Mr. WALSH. We desire to object to the testimony of this witness on the grounds previously given, that it is not in rebuttal.

Q. For whom did you vote for Congress?—A. The whole Republican ticket.

Q. Did you scratch any?—A. No; only the amendments and one judge.

Q. You didn't scratch the Congressional candidate?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. What was the method that you used in voting?—A. I pursued the regular method.

Q. How was that?—A. When I went in they asked me my name; then somebody says, "That's all right, give him a ticket;" then they gave me a bunch of tickets and I took out the ticket I wanted, and I fixed it and came back and folded it together, and the man at the box put the number on it and started it in, and I looked down and when I looked up it was gone; and when I was watching him to put it in the box, I think he put it in the box, but I did not see it.

Q. Were you sufficiently satisfied to leave the polling place?—A. Well, I couldn't say anything, whether I was satisfied or not.

Q. You stopped there and watched him after you gave the ballot?—A. Yes.

Q. He put the ballot in the box?—A. He seemed to; I turned my head, and when I turned back the ballot had disappeared.

Q. Where was the ballot at the time you turned your head?—A. He had it in his hand; the man by the box had it in his hand.

Q. And when you turned back, where was it?—A. It disappeared, whether in the box or out, I couldn't swear.

Q. What was the relative position of the man with reference to the box?—A. I couldn't exactly say. Now, you know if somebody suddenly spoke to you, you may turn your head, and just when you turn and look back again, like that [indicating], so whether it was in or out of the box, I could not say.

Q. You felt satisfied that your ballot had been voted?—A. Yes, sir.

E. HEYD, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. E. Heyd.

Q. Where do you live?—A. At 411 North Fourteenth street.

Q. Did you vote at the election held on the 4th day of November last?—A. Yes, sir.

Q. Where did you vote?—A. At 1406 Clark.

Q. Do you know the ward and precinct?—A. No, sir.

Q. What ticket did you vote?—A. The Ownership ticket.

Q. Will you state for whom you voted for Congress?—A. I couldn't tell; I voted the Ownership ticket.

PAT EARNER, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Pat Earner.

Q. Where do you live?—A. 638 South Seventh street.

Q. Did you vote at the election held November 4?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Fifth precinct, Fifth Ward.

Q. Will you state what ticket you voted?—A. Democratic.

Q. Straight?—A. Yes, sir.

HENRY THOMAS, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Henry Thomas.

Q. Where do you live?—A. 1317 Morgan.

Q. Are you Henry Thompson?—A. That is the way they give my name.

Q. Do you live at 914 Market street?—A. No, sir.

Q. Why did you say just now that you were the same one?—A. I live on Morgan street.

Q. Did you vote in this city on the 4th of last November?—A. Yes, sir.

Q. What ward?—A. Fifteenth Ward.

Q. What precinct; do you know?—A. I don't know.

Q. Where did you vote?—A. Between Fourteenth and Fifteenth, on Morgan.

Q. What ticket did you vote?—A. Straight Republican; always do.

Q. Was it scratched?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Whereabouts did you say you voted?—A. Between Fourteenth and Fifteenth, on Morgan.

Q. On which side of the street?—A. On the south side.

Q. When you voted what did you do? Can you read or write?—A. No, sir.

Q. What did you do?—A. I asked the judge for a straight Republican ticket.

Q. Did he give you a Republican ticket?—A. I suppose so.

Q. Was he a colored man?—A. No, sir; he was a white man; I told him I wanted a straight ticket—a Republican ticket—and he said all right, he would give me one; I folded it up and handed it to one of the judges, and he put it in the box.

Q. You saw him put that in the box?—A. Yes, sir.

Q. What was this that you spoke about Sunday when you gave your name?—A. Some man, I don't know who he was; I got a subpoena; I think it was on a Sunday or a Saturday, I couldn't tell; I haven't been working since the brickyard shut down, and I can't tell Sundays from other days.

Q. Every day looks like Sunday to you, does it?—A. Yes, sir; I have been out about four weeks now; they shut down every year; I have been working there for seventeen years; I ain't no roustabout.

Q. What did this man say to you when he came out there?—A. He gave me a subpoena—whatever you call it—Saturday or Sunday.

Q. He gave you a subpoena or a notice that you were to come here?—A. A notice to come here.

Q. Did he say anything to you about what you were to testify?—A. No, sir.

Q. He just gave you this notice?—A. Yes, sir.

Q. You are not the same Henry Thompson that lives at 914 Market?—A. No, sir; I never did live there.

Q. You always lived where you are?—A. Always living there, or on the next block about fourteen years.

Q. You are perfectly satisfied that the judge who gave you your ballot and the judge who put your ballot in the box did what you said?—A. Just to put down, I can't say, they always have so much trouble at that poll; I hurried to get out; the other time there was somebody got hurt there.

Q. They didn't hurt you there this day?—A. No; I didn't give them a chance; they fit so up there.

Q. You just got right out; you never had any trouble?—A. I seen lots of trouble up there—somebody hit, and one man got his tooth knocked out.

Q. But you never had any trouble?—A. No; I never hang around the polls.

Q. You just go in and come right out again?—A. Yes, sir.

Q. Did you have any trouble this time?—A. I didn't give them time.

Q. Were there any signs of trouble when you were there?—A. No; not much; there wasn't so much there this year.

Q. This year was much quieter than before?—A. Yes, sir; better than last election.

Q. There wasn't so much trouble there this year—this last election?—A. I didn't see so much.

Q. It was very quiet, wasn't it?—A. Yes, sir; the first time for a good many years.

Q. That has been an exceptionally quiet election?—A. Yes, sir.

HENRY HORSCHLER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Henry Horschler.

Q. Where do you live?—A. 1326 Clark avenue.

Q. Did you vote on the 4th day of last November?—A. Yes, sir.

Q. What ward and what precinct?—A. Ninth precinct, Fifth Ward.

Mr. WALSH. We desire to note our objection to this evidence as not evidence of rebuttal of any evidence the contestee has taken.

Q. Will you state what ticket you voted?—A. Republican.

Q. For whom did you vote for Congress?—A. Butler.

Q. You voted the Republican ticket aside from that?—A. Yes, sir.

TONY BARNES, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1324 Gay street.

Q. Did you vote at the election on the 4th day of last November?—A. Yes, sir.

Mr. WALSH: We desire to note our objections to this evidence as not evidence in rebuttal, but evidence in chief.

Q. What ward and precinct is that?—A. Fifteenth Ward; it is between Sixteenth and Thirteenth on the south side of Morgan.

Q. What ticket did you vote?—A. Straight Republican.

Q. You didn't scratch at all?—A. No, sir; only the school amendments.

Cross-examination by Mr. WALSH:

Q. When you got your ticket—do you read and write?—A. Yes, sir.

Q. What did you do with the ticket?—A. I looked it over, took out the Republican ticket, folded it up and gave it to the judge; I don't know whether Republican or Democrat. I gave it to him and he placed it in the box.

Q. You saw it put in the box?—A. Yes, sir.

Q. You know it went in the box and was not tampered with, from the time it left your possession until the time it was placed in the box?—A. Yes, sir.

Q. You know it went in, in the condition in which you handed it to him?—A. Yes, sir.

Q. No one touched it?—A. No, sir.

Q. Did you know the judges and clerks?—A. No, sir.

Q. Have you any reason to suspect any of these judges and clerks as being dishonest?—A. Not a bit.

Q. Are you the J. R. Thompson that—the J. R. Barnes that lives at 1327 Gay street?—A. No, sir; my name is Tony.

Q. Do you know J. R. Barnes?—A. No, sir.

Q. Are you acquainted with him?—A. Little, not much.

Q. Do you know that there is a J. R. Barnes at 1320 Gay street?—A. Yes, sir; I know him.

HENRY GREEN, of lawful age, being produced, sworn, and examined, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Henry Green.

Q. Where do you live, Mr. Green?—A. 1319 Linden.

Q. How old are you?—A. In my sixty-eighth year.

Q. Did you vote on last election day?—A. Yes, sir.

Q. Where did you vote?—A. Fifteenth Ward; what precinct I don't know.

Q. Whereabouts did you vote?—A. Between Fifteenth and Sixteenth on Market, south side.

Q. What ticket did you vote?—A. Republican.

Q. Did you scratch it?—A. Well, I didn't fix the ticket. The man asked me my name and looked on the book and he handed me a bunch and I took the second ticket, tore off the Republican ticket. I called on the Republican to prepare it for me. I couldn't see anything to know whether it was Republican ticket. He asked what did I want to vote: did I want to vote for Wagoner—I think that is the man's name—and I said yes, and he made some additions on the ticket, and then he took and folded it up and handed it back to me, and I took it and handed to the judge, who took and put it in the box. I stopped to see him put it in there, and then the man took the rest of the pack and put in a sack.

Cross-examination by Mr. WALSH:

Q. The man that prepared your ballot was Republican?—A. Yes, sir; I suppose so.

Q. Was he a colored man?—A. Yes, sir.

Q. Do you know him?—A. By sight.

Q. You don't know his name?—A. Old man Carroll's son. I think his name is Ed.

Q. Do you know that he is a Republican?—A. Yes, sir.

Q. Do you know he prepared your ballot?—A. Yes, sir.

Q. You know the ballot was prepared as you wanted?—A. Yes, sir.

Q. You know the ballot was prepared and put in the box?—A. Yes, sir.

Q. You know nobody else touched that ballot until———A. Until I handed it to the judge. He put it in the box after numbering.

JOSEPH FARRELL, of lawful age, being produced, sworn and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Joseph Farrell.

Q. Where do you live?—A. In the rear 1521 Lucas.

Q. Did you vote on election day, the 4th of last November?—A. Yes, sir.

Q. Where did you vote?—A. I voted on Morgan street, south side, between Fifteenth and Sixteenth.

Q. You don't know where? Do you know the ward and precinct?—A. Fifteenth ward; the precinct I don't know.

Q. What ticket did you vote?—A. Straight Republican.

Q. Straight; you didn't scratch?—A. No, sir; only the amendments—school amendments.

Cross-examination by Mr. WALSH:

Q. What did you do when you went in to vote?—A. I went in there and they asked where I lived, and I told them, and they handed me a bunch of ballots and went in to fix my ticket, and a policeman said Republican clerk help the man fix his ticket.

Q. Did you make any alterations on it except the amendments?—A. None at all.

Q. What did you do with it?—A. Handed it to the judge, who took it and put it way down and took his pen and struck it.

Q. You know it went into the box?—A. It went down out of my sight. He struck it with a pen. It went out of my sight—out of my sight.

Q. So that until the time that you last saw the ballot, no one touched it but yourself?—A. No, sir; after the judge gave it to me and I gave it back and he stuck it in.

OSCAR HERZOG, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith, as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name?—A. Oscar Herzog.

Q. Where do you live?—A. 1400 Morgan.

Q. Did you vote at the last election, November 4th, of last year?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Fifteenth Ward and sixth precinct.

Q. Will you state what ticket you voted?—A. Straight Republican.

Q. You didn't scratch?—A. Scratched the amendments.

Cross-examination by Mr. WALSH:

Q. Mr. Herzog, did you secure your ballot?—A. Yes, sir.

Q. And did anyone handle that ballot other than yourself, until you gave it to the judge?—A. No, sir.

Q. Did you see it go into the box?—A. Yes, sir.

Q. You know positively that your ballot was not tampered with?—A. Yes, sir.

Q. Do you know it went in the box?—A. Sir? Yes, sir.

Q. Did you know anyone there?—A. I believe Jim Russell. I don't know whether he was judge or clerk.

Q. He is a colored man?—A. Yes, sir. And Will Wellman; I don't know the rest of them.

Q. You believed them to be honest men?—A. I think so.

Q. They were representing the Republican party, were they?—A. I believe they were.

Q. You had no reason to believe they would tamper with your vote, make any alterations or changes on your ballot?—A. I don't believe they would.

Q. You don't think they would?—A. Not that I know.

Q. Who is this Mr. Wellman that you know?—A. He lives at 1336, corner Fourteenth and Morgan.

Q. The Wellmans conduct quite a large business there?—A. They used to have their store there; they own the property there.

Q. They are well to do?—A. Yes, sir.

Q. Extremely prosperous people?—A. They had been; the old man is dead.

Q. You feel satisfied that Will Wellman has no reason for doing anything that is not honest?—A. That is my belief.

Q. You believe he is an honest man?—A. Honest man so far as I know.

BEN McMILLAN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Ben McMillan.

Q. Where do you live?—A. No. 721 North Fourteenth street.

Q. Did you vote on the day of election, last November?—A. Yes, sir.

Q. Where did you vote?—A. At 1516 Morgan street.

Q. Do you know the ward and precinct?—A. Fifteenth Ward, sixth precinct, I think.

Q. What ticket?—A. Straight Republican.

Q. Did you scratch it?—A. Made some alterations in the amendments for the school.

Q. You didn't scratch the candidates?—A. No, sir.

Q. You voted for Wagoner?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. Can you read?—A. Yes, sir.

Q. Did you look at your ballot?—A. Yes, sir.

Q. Did you tear out your ticket?—A. Tore it out myself.

Q. What did you do with it?—A. Prepared it, folded it up, and handed it to the judge.

Q. Did you see him deposit it?—A. Put it in the box.

Q. There were no changes or tampering with it?—A. No, sir.

Q. You are positive that your ballot was placed in the box? Put there without having been tampered with?—A. No voter but myself in there at the time.

Q. Do you know the judges' names?—A. I knew Will Wellman and Ed Carroll and Jim Russell; I don't remember the other party.

Q. You believe them to be honest men?—A. So far as I knew; known them for the last fifteen or twenty years.

Q. You were satisfied they were honest?—A. In that respect.

Q. You believed that they would not tamper with your ballot?—A. Not them; no, sir.

Q. You feel satisfied of that?—A. Feel satisfied my ballot was cast regular.

GREEN MOORE, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Green Moore.

Q. Where do you live?—A. 1521, rear, Lucas avenue.

Q. Did you vote on the 4th day of last November?—A. Yes, sir.

Q. Where did you vote?—A. I voted on Morgan street near Sixteenth street; I don't know the precinct.

Q. On the south side?—A. Yes, sir.

Q. Between Fifteenth and Sixteenth?—A. Yes, sir.

Q. What ticket did you vote?—A. Republican ticket.

Q. For whom did you vote for Congress?—A. I voted the straight Republican ticket.

Q. Didn't scratch at all?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Did you tear off that ballot yourself?—A. I did.

Q. Can you read and write?—A. I do.

Q. What did you do with your ballot after you tore it off?—A. I met a gentleman—I don't know who he was, a judge, I suppose—and I asked him how to fix

the ticket, and he asked me who I want vote for, and I told him how I want it. He taken the ticket, went back in the booth, and then he gave it to me, and I gave it to another man; told me to give it to him.

Q. Who was the man gave you the ballot?—A. I don't know.

Q. He asked if you wanted a ticket?—A. When I asked him to give the ticket to me.

Q. Was he a colored man or a white man?—A. White.

Q. Was your ballot put in the box?—A. It was.

JOHN H. BELL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. John H. Bell.

Q. Where do you live?—A. 1520 Morgan.

Q. Did you vote on election day?—A. Yes, sir.

Q. Where did you vote, Mr. Bell?—A. I voted on Morgan between Fifteenth and Sixteenth.

Q. You don't know what ward?—A. Yes: Fifteenth Ward.

Q. What ticket did you vote?—A. I voted straight Republican.

Q. Did you scratch the name of any candidate?—A. Nothing but the school amendments.

Cross-examination by Mr. WALSH:

Q. Do you read and write?—A. No, sir.

Q. How did you get your ballot?—A. My son, he was in there with me.

Q. Who tore it off for you?—A. I tore the ballot; I tore off the second ballot.

Q. You made some alterations on the amendments on the ballot?—A. That is all.

Q. Then what did you do?—A. Folded my ballot up and handed it to the judge; the judge took it and put it in the box.

Q. You know it went in?—A. Yes, sir.

Q. You are positive that you saw it go in the box?—A. I am positive of that; I was going to see if it went in; I was going out if it didn't and wasn't going to vote no more.

Q. Did you know any of the judges or clerks there?—A. Yes, sir.

Q. Who were they?—A. Jim Russell was one; Otto Bell was one of the clerks.

Q. That is your son?—A. Yes, sir.

Q. Did you know Will Wellman?—A. I am slightly acquainted; I knew him once, but he grew out of my knowledge; I been knowing him since he was a kid.

Q. You feel satisfied that your ballot went in the box?—A. Yes, sir.

Q. What clerk or—was your son a judge?—A. Clerk.

Q. You feel certain that he did not tamper with it?—A. It was not tampered with by anybody there at the time when I was there; it was put in the box.

Q. Do you know whether your son remained to count the ballots?—A. He stayed there until about 11 o'clock.

Q. That night?—A. Then they got in a kind of a row, and he come out.

Q. Do you know whether he touched your ballot?—A. No, sir; he didn't.

Q. What kind of a row did they have?—A. I don't know—just a little too much drink of whisky and knocking one another around.

Q. Was he drinking?—A. No, sir.

Q. Does he drink?—A. No, sir. I told him when he went in there to keep straight so he would know what they were doing.

WILLIAM CARSON, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. William Carson.

Q. Where do you live?—A. 1310 Gay.

Q. Did you vote at the election held on the 4th day of November in this city?—A. Yes, sir; I did.

Q. Where did you vote?—A. Fifteenth Ward, sixth precinct: I think it was between Fifteenth and Sixteenth on Morgan, south side of the street.

Q. What ticket did you vote?—A. Straight Republican.

Q. Did you scratch?—A. Didn't scratch any candidates: I only scratched the amendments.

Cross-examination by Mr. WALSH:

Q. What is your name?—A. Carson.

Q. When you went in and asked for your ballot, did you get a package of tickets?—A. I did; I got a bunch.

Q. Then what did you do?—A. I got a package of tickets; I retired to the booth and tore off the ticket and scratched it as to amendments, looked to see that it was the Republican ticket—the one I desired to vote—then when I came back they were having some kind of a wrangle. There were two men there supposed to be judges, but whether they were I am unable to say. Jim Russell was there, supposed to be Republican judge—

Q. Well, do you know whether that ballot was deposited in the box?—A. No; I don't. You see, after I had prepared my ballot I came back with this bunch, after tearing one off, and I gave him the bunch of tickets. He put that in a kind of canvas sack, and I don't know whether he put mine in there. I was looking to see, because I was going to protest right there, but some one spoke up and said the Indians were coming and I didn't intend to get hurt, so I left.

Q. You started to protest?—A. I was going to; I was not satisfied that my ballot went in the box. It seemed to me they put this bunch of ballots there and I didn't see the other one, and it seemed as if they put the whole business in that sack. I don't know whether they did; I didn't see it, and those men were squabbling over their dinner buckets, eating dinner there.

Q. Who was it that took your ballot? Was he colored?—A. No; he was white.

Q. Was it Wellman?—A. I don't know him. I was voting at the primary election on Franklin, and when I went to vote on election day they said I had to go to the sixth precinct.

Q. What do you do?—A. I work at Rice-Stix & Co.'s.

Q. Are you porter there?—A. Yes, sir.

Q. How long have you been living there?—A. Little over two years, going on three.

Q. You voted on Franklin?—A. In the primary. They scratched me the last time I undertook to vote.

Q. Outside of the primaries, did you vote?—A. I didn't vote because I didn't register before.

Q. They didn't send you there because you didn't register?—A. I registered when I went in the primaries for the Republican candidates, you understand. Then, when I voted in the primaries I voted for the judicial delegates to Jefferson City and Joplin; I went on Franklin. On the 4th of last November they told me because I was on the south side of Gay I was to go to the sixth precinct, between Fifteenth and Sixteenth, on Morgan. That is where I voted, and found my name there.

Q. That was the right place for you to go, was it?—A. They explained it to me, I not knowing that they made the change.

Q. That was right; nothing wrong about that?—A. Just so long as I voted.

Q. You feel satisfied that the men who took your ballot deposited it in the box?—A. No; I don't feel satisfied.

Q. Did you ever make that statement to them?—A. No; but I won't swear the ballot went in.

Q. Did you say anything to any person at the time?—A. On the day of election? No, sir; I just came out and went to my work.

Q. You didn't make any protest?—A. I says I suppose it was the judge—he ask me if I knew Jim Russell, supposed to be Republican—he was sitting over there from me and Ed Carroll. They was trying to eat their dinner, and there was only one man to give ballots. I was the only man voter.

Q. You were the only voter?—A. Another man there. I don't know whether he voted or not, he was ahead of me.

Q. What did you say?—A. I said I wanted to see it go in the box, and he says, "That is all right; go ahead out," and then they were speaking about Indians coming down from Seventeenth. Somebody said they heaved out the Republican judges at that precinct; I don't know who made the remark; some one at the door.

Q. Some one at the door?—A. And the judges were eating dinner.

Q. You just said there was only one man in there.—A. Only one voter.

Q. Who was the man at the door?—A. I don't know; I didn't pay attention.

Q. You heard him make the statement about heaving the judges out?—A. Threw out two judges up on Seventeenth street; that was twenty minutes to 1 when they made that remark.

Q. That remark about those fellows throwing the judges out?—A. The judges had been run away from the polls.

Mr. WALSH. Schilling says 3 o'clock.

The WITNESS. Sir?

Mr. WALSH. That is all.

LOUIS J. BISHOFF, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Louis J. Bishoff.

Q. Where do you live?—A. 1320 Spruce.

Q. Did you vote on election day?—A. Yes, sir.

Q. Where did you vote?—A. At 1406 Clark avenue, Fifth Ward, tenth precinct.

Mr. WALSH. It is understood that the same objection is made to all these witnesses, that this is not testimony in rebuttal.

Q. What ticket did you vote?—A. Straight Republican.

Q. Did you scratch any of the candidates?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Who else lives at 1320 Spruce street?—A. J. B. Bishoff.

Q. Who else?—A. That is all.

Q. Does Mr. Herman Bishoff?—A. No, sir.

Q. Does Wm. J. Ross?—A. He lives next door, 1322.

Q. Does Paul Glendell?—A. Yes, sir; 1322.

Q. Does Herman Bishoff?—A. No, sir.

Q. Where does he live?—A. He left home.

Q. Is he related to you?—A. Yes, brother; he left about two weeks before the election.

Q. Is he a Republican, too?—A. I suppose so.

Q. Your brother, is he?—A. Yes, sir.

Q. Don't you know?—A. No, I don't know.

Q. He left two weeks before election?—A. About that.

Q. How long did he live at 1320?—A. Oh, for about eighteen years.

Q. How long have you lived there?—A. About eighteen years.

Q. You and he lived together for eighteen years and you don't know whether he is a Republican or not?—A. Couldn't say.

Q. Never had any conversations about that?—A. No, sir.

Q. He is your brother?—A. Yes, sir.

Q. You lived there eighteen years in one house?—A. Yes, sir.

Q. When you cast your ballot, what method did you pursue?—A. I walks into the place and gives my name and gets my ticket and goes out, tears my ticket off, folds it up, comes out and gives it to the judge, and he puts it in the box.

Q. You saw it put in the box?—A. Yes, sir.

Q. You know he put it in?—A. Yes, sir.

Q. Do you know the judges?—A. I can't say I do know that one.

Q. Did you know any?—A. Henricks. Henricks's son, and Louis Norman—that is about all I knew.

Q. To which one of them did you give your ballot?—A. I don't remember, there was such a crowd, I didn't have time.

Q. Do you know whether or not any of these persons tampered with your ballot?—A. No, sir.

Q. You feel satisfied they did not?—A. Yes, sir.

Q. And do you know these men well enough to judge whether they were honest men or not?—A. Yes, sir.

Q. What is your judgment and belief?—A. I believe they are all straight, upright men, as far as I know.

Q. Republican representatives?—A. I don't know whether they are or not.

Q. Do you believe they in any way tampered with your ballot?—A. No, sir.

Q. Now, if I told you, Mr. Bishoff, that the question that has been asked you is founded on an examination of the ballots in this contest, do you believe that the statement that your ballot which you cast for Mr. Wagoner was tampered with, or that a clerical error had been made—is more likely to have been made in the hurry and rush of copying than as the result of the intention of this party or these parties to change your ballot?—A. No, sir.

Q. Do you believe it was a clerical error on the part of the examiner, or do you believe these men tampered with your ballot?—A. No, sir.

Q. Well, which do you believe—that it was a clerical error or not?—A. I think everything was straight.

Q. You think a count of that kind is apt to result in error, rather than that the judges were dishonest?—A. Yes, sir.

Q. What is your business?—A. Why, coal and ice business; small concern.

Q. Kind of family supply?—A. Yes, sir.

LOUIS ALEWEL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. What is your name?—A. Louis Alewel.

Q. Where do you reside?—A. 2002 Wash.

Q. Did you vote at the last election?—A. I did.

Q. What ward and precinct?—A. Fifteenth Ward.

Q. Which ticket?—A. Republican ticket, with few exceptions.

Cross-examination by Mr. WALSH:

Q. Did you hold any official position at the last election?—A. Judge.

Q. So that you know what became of your ticket?—A. I certainly should know.

Q. Do you know whether it was tampered with?—A. No; I don't think so.

Q. You were there all the time?—A. Yes, sir.

Q. You know no one had any opportunity to tamper with it without your seeing them?—A. Quite sure they didn't.

Q. You know positively that your ballot was put in the box as you handed it to the judge?—A. I can't say; it appeared to me all right.

Q. You gave it to one of your fellow-judges to put in the box?—A. Yes, sir.

Q. You don't think there was any slight of hand or legerdemain about it, do you?—A. I couldn't say; I was told to watch my companions while there.

Q. And you did?—A. Yes, sir.

Q. Not only did you keep your eye on them, but you were especially cautioned—you not only did your duty, but were extra careful?—A. Yes, sir.

Q. You watched them especially?—A. I watched the best I could—to the best of my ability.

Q. You watched them better than ordinarily—it was a special caution?—A. Yes; I took great care and paid special attention.

Q. You say as near as you could tell your ballot went into the box as you handed it in?—A. Apparently so.

Q. You were subpoenaed at the Temple Building prior to this time?—A. I don't know. I received a subpoena; yes, sir.

Q. Why didn't you come?—A. I had business to do.

Q. What day did you get your subpoena for?—A. I really can't tell.

Q. Was it for the 27th?—A. I can't say.

Q. Well, you were subpoenaed to appear at the Temple Building?—A. Once before I received a notice.

WILLIAM HEITMAN, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. What is your name?—A. William Heitman.

Q. Where do you live?—A. At 110 Spruce.

Q. Did you vote at the election held on the 4th day of last November?—A. Yes, sir.

Q. What ward and precinct?—A. Fifth Ward and second precinct.

Q. What ticket?—A. Republican straight.

Q. Didn't scratch?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Do you read?—A. Yes, sir.

Q. Did you look at that ballot?—A. Yes, sir.

Q. And you know it was Republican?—A. Yes, sir.

Q. And you placed it in the hands of the judge after you prepared it?—A. Yes, sir.

Q. Do you know whether or not he put it in the box?—A. Sure he put it in.

Q. You are sure he did; you gave it to Mr. Heinz?—A. I can't tell; who was Heinz; oh, Heinz was there.

Q. You believe Mr. Heinz to be an honest man?—A. I believe so.

Q. How long have you lived at 110 Spruce?—A. Close to six years, over five.

Q. How many others live there?—A. I can't tell; whole lot of them.

Q. About how many, five or six or more?—A. Sometimes 30, sometimes more, sometimes less.

Q. How many more?—A. Forty, sometimes.

Q. Who runs that place?—A. Mrs. Berger.

Q. You know Mr. Heinz?—A. Yes, sir.

Q. You are satisfied he is an honest man?—A. Yes; I believe so.

Q. You don't think he tampered with your ballot?—A. No, sir.

At this point an adjournment was taken until to-morrow, January 30, at 10 o'clock a. m.; then to be resumed at the same place.

Contestant's Exhibit No. 8, part 4.—A. R. Russell, notary public.

ST. LOUIS, December 31, 1902—10 a. m.

Pursuant to adjournment, parties met and the depositions were this day continued as follows:

GUY W. WILLIAMS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Guy W. Williams.

Q. You live where?—A. 2140 Eugenia.

Q. What is your age?—A. Twenty-nine.

Q. What is your business?—A. Bookkeeper.

Q. Are you single or married?—A. Married.

Q. How long have you lived at 2140 Eugenia?—A. Since about October 15—something like that.

Q. Of this year?—A. Yes, sir.

Q. How large a house is 2140 Eugenia?—A. I believe it has eight rooms and two attics.

Mr. ROWE. We object to this witness testifying, for the reason that the contestee has received no notice that this witness would testify before J. D. Halter, notary public.

Q. You were living in this house on the 4th day of last November?—A. I was.

Q. Election day of this year?—A. I was.

Q. Did George J. Davidson live there on election day?—A. I couldn't say he did; I never saw him.

Q. Did Sam M. Wood live there on election day?—A. Not that I know of.

Q. Did E. W. Fisher live there on election day?—A. No, sir.

Q. Did Oliver B. Martin live there on election day?—A. Not that I know of.

Q. Of these four men I have named, not one lived there at that time nor for some days prior to that time?—A. Not that I know of.

Q. Would you know it if they had?—A. I think so.

Q. Do you know who did live there?—A. They may have lived there, I don't know. Hendricks was the only one that I knew of.

Q. C. J. Hendricks?—A. Yes, sir.

Q. How many rooms did you occupy?—A. One room.

Q. On which floor?—A. Second floor, front.

Q. How many floors were there?—A. Three stories—two floors and an attic.

Q. Who lived—what other man lived—on the second floor, the same floor that you lived on?—A. None that I know of.

Q. Did any man live in the house?—A. Hendricks is the only man in the house that I knew. In fact, I didn't know or pay much attention to anyone that lived in the house.

Q. Who lived on the first floor?—A. Hendricks.

Q. He lived on the first floor and you lived on the second?—A. Yes, sir.

Q. Who else lived in the house?—A. That is all I knew of.

Q. That is all you knew of?—A. That was there anyways permanent; maybe some came and stayed a week or so, but we were the only permanent people in the house.

Q. Do you know whether or not these others came there and stayed as long as three weeks?—A. That I can not say. I don't know who was in the house. You might find out from the landlady.

Q. Who was she?—A. Miss Emma—

Q. Mrs. or Miss?—A. Miss Emma something—I don't remember her last name. There were three sisters of them. They are 2122—or formerly were—the same place where I lived.

Q. Don't they live at 2140 now?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. When were you subpoenaed to come here and testify?—A. Tuesday afternoon—yesterday.

Q. Who issued the subpoena for you?—A. I am sure I don't know.

Q. Did J. D. Halter?—A. I couldn't say: I was down at my office, and I don't know.

Q. What is your business?—A. Bookkeeper.

Q. Where?—A. Miller & Teasdale Commission Company.

Q. Where do you reside?—A. 2140 Eugenia.

JOHN STACK, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is John Stack?—A. Yes, sir.

Q. You live at 2110 Adams street?—A. Yes, sir.

Q. How long have you lived there?—A. About three years.

Q. How many rooms are there in the house?—A. Three upstairs and three down.

Q. Three down?—A. Also a rear at 2112, two rooms back, upstairs and down; sometimes they call that 2110.

Q. Did James Donnelly live there on the 4th day of last November?—A. He might have lived in the rear; he did not live at 2110.

Q. I asked you if James Donnelly lived at 2110 Adams on the 4th day of last November?—A. He might have lived in the rear; he did not live at 2110.

Q. I asked you if James Donnelly lived at 2110 Adams on the 4th day of last November: I didn't ask you where he might have lived.—A. He didn't live at our house; he might have lived downstairs or in the rear.

Q. I tell you again, I don't ask you to state where he might have lived; he might have lived in Cabanne.—A. He didn't live upstairs.

Q. Did he live at 2110 Adams street, to your knowledge?—A. Not to my knowledge; he might have lived in the rear.

Q. I tell you once again, I don't want you to state where he might have lived.—A. He might have lived downstairs.

Q. He might have lived in the court-house. It is not necessary for you to make that statement.

Mr. ROWE. I object.

Mr. RICHEY. I don't care if you do object.

Mr. ROWE. I will object, nevertheless.

Mr. RICHEY. You can object all you please.

Mr. ROWE. This is my objection: The witness is put on the stand by the contestant, who thereby vouches for the credibility of this witness, and he has no right, either in person or by his counsel, to instruct the witness as to what he wants him to answer. When the question is propounded it is the duty of the witness to formulate his own answer, and to answer as he sees proper.

Mr. RICHEY. Are you through? The witness has made the statement that he is a red-hot Democrat; he has also made the statement that James Donnelly, Thomas H. Shaw, Joseph Tyler, and George Slattery did not live at 2110 Adams street on election day.

The WITNESS. I stated not to my knowledge; he might have lived in the rear.

Q. He might have lived at the court-house?—A. Yes, sir; he might have.

Q. Now, I ask you, did Tom H. Shaw live at 2110 Adams street on the 4th day of last November?—A. No; I don't think Shaw did.

Q. Did Joseph Tyler live there?—A. He might have lived in the rear.

Q. Did he live at 2110 Adams?—A. He might have lived in the rear; he did not live in the front part—no.

Q. Did he live where you live—at 2110?—A. No, sir; but there are also four rooms in the rear.

Q. I am not talking about the rear.—A. He didn't live in the front.

Q. Did George Slattery live at 2110 Adams?—A. He lived close around there somewhere; he might have lived in the rear.

Q. Did he live in the front part of 2110 Adams street on the 4th day of last November?—A. No.

Cross-examination by Mr. ROWE:

Q. None of these parties live in the front part of that number?—A. No, sir.

Q. You don't know who lives in the rear of that number?—A. No; I don't.

Q. The rear is the same number as the front?—A. Yes, sir; called 2110.

Q. You don't know who lived downstairs?—A. Slattery and the others might have lived there for all I know.

Q. All you know about these certain persons is that they did not live on the second floor of the number indicated by the counsel?—A. That is true.

Q. That is the full extent of your knowledge?—A. That is all.

Redirect examination by Mr. RICHEY:

Q. When you stated these people did not live at 2110 Adams street at the front, you did not mean what you said, did you?—A. Didn't mean what I said? I said they didn't live at 2110, in the front.

Q. They didn't live in front?—A. No, sir; they might have lived downstairs.

Q. Now, what you just said about their not living at 2110 Adams street you will not stand by?—A. No, sir.

Q. You didn't say that they did not live at 2110, front?—A. No, sir.

Mr. RICHEY. That is all right.

The WITNESS. I did not say that they did not live there; they might have lived downstairs or in the rear.

Q. Did you not say a while ago that they did not live at 2110 Adams?—A. Yes, sir; not in the front.

Q. I will ask you whether you did not make the statement in the east end of the third room, within the last twenty minutes, in my presence and in the presence of two other gentlemen, that Joseph Donnelly, Thomas Shaw, James Tyler, and George Slattery did not live at 2110 Adams street on the 4th day of last November?—A. Not upstairs——

Q. Answer my question, yes or no.—A. I couldn't give my answer no; they did not live upstairs; they might have lived downstairs.

Q. Didn't you say they did not live at 2110 Adams street?—A. No, sir; I did not.

Mr. RICHEY. Well, I'll see about that.

WILLIAM KING, being called, failed to respond.

JOHN GENTNER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposes and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is John H. Gentner?—A. Yes, sir.

Q. You live at 2138 Eugenia?—A. Yes, sir.

Q. How old are you?—A. Forty.

Mr. ROWE. We object to this witness being examined, for the reason that the contestee has received no notice that the witness would be examined.

Q. Are you single or married?—A. Married.

Q. How long have you lived at the premises, 2138 Eugenia street?—A. Eight years.

Q. Were you living there in October and November of the present year?—A. Yes, sir.

Q. I will ask you whether J. J. McCann lived there in October and November of the present year?—A. No, sir.

Q. Did William E. Harrison live there during October and November of the present year?—A. No, sir.

Q. Did Thomas McCullen live there at the time mentioned?—A. No, sir.

Q. Did Joseph Conway live there on the 4th day of last November.—A. No, sir.

Q. Did B. A. Blair live there at that time?—A. No, sir.

Cross examination by Mr. ROWE:

Q. What is your business, please?—A. Why, I am engaged—I was engaged at the Union station handling baggage.

Q. What is your occupation now?—A. I am not doing anything at the present time.

Q. How long have you been in that condition?—A. Sir?

Q. How long have you been in that condition?—A. About two months.

Q. Two months ago you were engaged in handling baggage at the Union station?—A. Yes, sir.

Q. For how long a time were you there?—A. Fourteen years.

Q. How long have you resided at this place where you now reside?—A. Eight years last October.

Q. Do you know any of the persons whose names have been read off to you?—A. Just one.

Q. Who is that?—A. Joseph Conway.

Q. Do you know where he resides?—A. 100 South Garrison avenue.

Q. Where did he reside in October?—A. He has been residing there since last February, at 100 South Garrison.

Q. Where did he reside previous to February?—A. He resided at 2138 Eugenia street.

Q. You don't know any of these other parties mentioned?—A. No, sir; I don't know them.

Q. Do you pretend to swear that none of these parties whose names have been read to you never resided at that number?

(Objected to as irrelevant and immaterial as to whether they ever resided there, unless they resided there in October or November of this present year.)

A. Not to my knowledge, sir.

I. H. BRADBURY (colored), of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Isaac H. Bradbury?—A. Yes, sir.

Q. You live at 2124 Adams street, in the city of St. Louis?—A. Yes, sir.

Q. How long have you lived there?—A. Since the 9th day of June last.

Q. Since the 9th day of June of the present year?—Yes, sir.

Q. Were you living there in October and on election day, November 4?—A. Yes, sir.

Q. What sort of a house is it?—A. A tenement house.

Q. Did P. Bowen live at that place on November 4?—A. No, sir.

Q. Did Henry Bell live at that place on Tuesday, November 4?—A. No, sir.

Q. Did George Jackson live there at that time?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Did any of the persons whose names have been read off to you by the attorney for the contestant reside at that number last year?—A. Not since the 9th day of June, they haven't; I couldn't say who lived there before that time.

Q. Do you know any of these persons whose names have been read to you?—A. No, sir; none of them lived there since I have been there.

Q. What is your business?—A. I am working for the United States weighers and gangers.

EDWARD D. CARROLL (colored), of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Edward D. Carroll?—A. Yes, sir.

Q. You live at 1326 Morgan street?—A. Yes, sir.

Q. In the Sixth precinct of the Fifteenth Ward?—A. Yes, sir.

Q. And you were one of the judges of election on Tuesday, November 4, last?—A. Yes, sir.

Mr. ROWE. We object to Mr. Carroll's testifying, for the reason we have not received any notice.

Q. You acted as judge throughout the day?—A. Yes, sir.

Q. Who received the ballots?—A. A gentleman named Jimmy—I don't know his other name.

Q. Was it Laughlin?—A. Yes, sir.

Q. Was he the Democratic judge?—A. Yes, sir.

Q. When the ballots were received from the voters, were they numbered?—A. Well, they started to put them in the box without numbering them.

Q. Who did?—A. Joseph G. Loups.

Q. Did you protest against that?—A. Yes, sir.

Q. How long were they putting in the ballots in the box without their being numbered?—A. Not very long. I protested and they began numbering them.

Q. How many ballots were put in unnumbered, do you know?—A. I do not.

Q. Were any of the ballots put in the box without being numbered?—A. Yes; I am satisfied there were.

Q. Were there any challengers at that precinct?—A. Neither side had any.

Q. Why was that?—A. Well, they didn't have any on their side, and they objected to our having any.

Q. Who didn't have any on their side?—A. The Democratic side.

Q. And they objected to your having any?—A. Yes, sir; they objected to us having any.

Q. Did the Republicans consent, then, that the challengers be put out?—A. Yes, sir; we had to consent.

Q. Why?—A. Because they would not accept any in there.

Q. Why? How were you compelled to consent?—A. We were compelled to consent because they didn't have any and they would not allow us to have any.

Q. What did they do?—A. Objected to having any; and it took three of us to bring him in, and they would not do that and so we didn't have any.

Q. Well, didn't it take three to put them out, too?—A. Yes, sir.

Q. Did they have three judges on their side?—A. They would not allow us—

Q. Who would not allow?—A. The Democratic party, as I tell you.

Q. You mean the Democratic judges?—A. Yes, sir.

Q. What did they say?—A. They said they didn't have none, and they would not accept any; that is all.

Q. Now, the polling place was 1530 Morgan?—A. Yes, sir; I think that is the number; I am not positive.

Q. How far is that from the nearest saloon?—A. Several saloons around there; saloon and grocery store on the corner 100 feet from there.

Q. How far is the nearest saloon from that?—A. There is one across the street.

Q. One across the street?—A. Yes, sir.

Q. And the next nearest?—A. I don't know.

Q. Were the saloons open all day?—A. I couldn't say positive; as I told you, I very seldom went out in the back yard.

Q. When you did go—at the times you did go, did you see these saloons open?—

A. Where the German grocery store is, that was open in the back.

Q. That was open in the back not far from the polling place?—A. I couldn't tell how far that was.

Q. Was it half a block or four blocks from there?—A. About 100 feet; from the grocery store it was about 100 feet from there to the polling place; that is as far as I can say.

Cross-examination by Mr. ROWE:

Q. What efforts, if any, did the Republican challenger make to get in?—A. He came in.

Q. What efforts did the Republican challenger make to get in?—A. He came in there with a—something like this [piece of paper].

Mr. RICHEY. Credentials?

The WITNESS. He came with his credentials to get in, and the Democrats said they didn't have none and they objected to us having any.

Q. Who was the Republican challenger?—A. I don't know his name.

Q. You counted all the ballots there?—A. Sir?

Q. You counted all of the ballots there after the election, didn't you?—A. We all helped to count the ballots, as far as that is concerned.

Q. You endeavored to do your duty honestly, fairly, and squarely as a judge of the election?—A. I tried to do the best of my knowledge.

Q. And to the best of your knowledge and belief no illegal or fraudulent votes were cast?—A. Not to my knowledge, I couldn't say it was.

Q. You believed that all the votes cast were honest and legal votes and that they were fairly, honestly counted?—A. I couldn't say that; I don't know what was done. I can say all we counted was there.

Q. So far as you know, so far as you have any knowledge of, they were all legal ballots?—A. Supposed to be.

Q. Do you know of any fraudulent vote that was cast?—A. Not to my knowledge; I don't know.

Q. Of course you couldn't answer it to anybody else's knowledge?—A. No.

By Mr. RICHEY:

Q. Do you know Albert Street, who is registered from 1326 Morgan street?—A. He is dead.

Q. When did he die?—A. I don't know; last spring some time.

Q. He was not living on election day?—A. He died some time before; I don't know exactly when.

Q. He was not living on Tuesday, the 4th day of November, of the present year?—A. I don't know.

Q. You said he died in the spring?—A. Oh, November last; no, he was not living then; I am satisfied he was dead then.

Mr. ROWE. Some people are living when they are dead.

The WITNESS. I don't know.

GEORGE YAEGER, of lawful age, being produced, sworn, and examined on the part of contestant, deposeeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is George Yaeger?—A. Yes, sir.

Q. You live at 2751 Randolph?—A. No; Manchester avenue.

Q. In the tenth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. You were challenger for the Republican party at that precinct on election day, Tuesday, November 4?—A. Yes, sir.

Q. What time did you appear at the polling place?—A. I was there at 10 minutes to 6.

Q. Were you present when the judges and clerks opened the polls?—A. Yes, sir.

Q. Did you present your credentials as challenger?—A. Yes, sir.

Q. By whom were they signed?—A. By the Republican central committeeman.

Q. The Republican central committeeman?—A. Yes, sir.

Q. Of that ward or by the chairman?—A. By the chairman.

Q. To whom did you present or show your credentials?—A. One of the Republican judges there.

Q. Did you serve as a challenger?—A. No, sir; they would not recognize them so long as they were not signed by the election commissioners.

Q. Did you serve as challenger?—A. I didn't inside the polls.

Q. Why didn't you?—A. I was ordered out.

Q. By whom?—A. One of the Democratic judges.

Q. Did you go?—A. Well, I asked them to leave the judges vote on it. They would not do it, and when an officer came they told him to put me out, so I went out.

Q. Who told the officer to put you out?—A. The same Democratic judge.

Q. Do you know the judge's name?—A. I do not.

Q. Would you know the names of the judges if you heard them? Was it Michael Noonan or Paul Murphy?—A. I couldn't tell.

Q. When they called the officer to put you out, did you wait for the officer to put you out or did you go out?—A. No, sir; I walked out.

Q. Why did you walk out?—A. If I hadn't walked out they would have put me out.

Q. Did you see any repeating there?—A. I saw several crowds come there, both white and black, came up several times. I couldn't swear they were repeating. I was not inside the polls.

Q. You were put out so that you could not see the men voting?—A. Yes, sir.

Q. You say you saw several crowds of how many?—A. I saw them going to the polls, I suppose to vote.

Q. What did you see them do?—A. I saw them coming up, making for the polls.

Q. Did they fall in line?—A. I couldn't say they did.

Q. Did they approach the polling place and go inside of the polls more than once?—A. I saw several that did that.

Q. How many times did the same person go in what you saw?—A. I couldn't say. Some went more than once.

Q. About how many did you see that went more than once?—A. About five.

Q. Five that you recognized?—A. Yes; at the time.

Q. Were you at the polls, on the outside, all day?—A. Barring a few minutes when I went to lunch.

Q. How near the polls were you?—A. Just as close as I wanted to go, on the outside.

Q. Did you make any protest against these people going into the polls the second time?—A. No, sir.

Q. Why didn't you?—A. Well, I don't know why I didn't. I didn't think it would be any use.

Q. Why?—A. I can't tell you that. I didn't know what they were going in there for.

Q. You didn't think there would be any use to make an effort to stop it? Is that right?—A. Yes, sir.

Q. Did you think they would pay no attention to your protest?—A. No, sir.

Q. That was the reason?—A. Yes, sir.

Q. How far from the polls is the nearest saloon?—A. One was right over the street; I guess about two within fifty feet; I should think one was one hundred feet.

Q. Were they open?—A. Yes, sir.

Q. All day?—A. Yes, I believe they were.

Q. How many police officers were there on that beat?—A. On that beat? I don't know. Two at each polling place.

Q. Were they regular officers on that beat or were they strangers?—A. They were strangers to me.

Cross-examination by Mr. ROWE:

Q. You were watching there near the polls all day long, except while you were at lunch?—A. Yes, sir.

Q. You saw five persons going into the polling place more than once?—A. Yes, sir.

Q. That is the extent of your observations?—A. Yes, sir.

Q. You don't know whether they went in and voted or not, do you?—A. No, sir.

Q. How often did you see these five go in the polling place?—A. I couldn't say how often, but more than once; I would say that.

Q. You are satisfied you saw five persons go more than once? Did they go twice or three times; you couldn't say as to that?—A. They went in more than once—further than that I could not say.

Q. You were there observing them all day long, right at the place near the polls, and went near them whenever you wanted to?—A. Yes, sir.

E. S. EVERTSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Edward S. Evertson?—A. Yes, sir.

Q. You live at 2846 Lawton avenue?—A. Yes, sir.

Q. Sixth precinct, Twenty-second Ward?—A. Yes, sir.

Q. You were a Republican judge at the election held on Tuesday, November 4?—A. Yes, sir.

Q. William Taylor was also a Republican judge at that same precinct?—A. Yes, sir.

Q. What is your business, Mr. Evertson?—A. Real estate business.

Q. How long have you lived in that precinct and ward?—A. I lived there five years.

Q. What, if anything, do you know about any padded registration in that precinct?—A. I don't know much about any padded registration. I know something about illegal voting. What I heard of the registration about its being padded I heard from others.

Q. Arthur Flint, the Democratic clerk of election—was he registered from 2818 Lawton avenue?—A. Yes, sir.

Mr. ROWE. One moment. I desire to note an objection to this witness's testimony, for the reason we have not received any notice that he was to testify.

Q. Do you know how many days there were for registration of persons in your precinct for the last election?—A. I think there were two days.

Q. How many days were allowed to voters to register before the judges—how many days did they have to come before the judges and register in that precinct?—A. I don't remember, but I think only two days.

Q. Did you see Arthur Flint on any of those days of registration?—A. Yes, sir.

Q. What was Arthur Flint?—A. He was clerk—Democratic clerk.

Q. For the sixth precinct, Twenty-second Ward?—A. Yes, sir.

Q. Did he assist in the registration of voters for the November election?—A. Yes, sir.

Q. Do you know where he lived at that time?—A. I do not. I only know what he said; he said he lived at 2818 Lawton.

Q. Did you hear any conversation in which he took part about 2818 Lawton avenue?—A. Yes, sir; along late in the afternoon Cronin came in and asked them if they would come to his house for supper.

Q. Who is that—James Cronin, ex-speaker of the house of delegates and the man who was elected for justice of the peace?—A. Supposed to be.

Q. For this part of the city at the last election in November of this year?—A. Yes, sir.

Q. What did he say?—A. Well, he stood around there a while, and then he asked them to come to his house for supper, and Reagan—

Q. Who is that?—A. Reagan—Mike O'Reagan is his name, he tells me.

Q. Well, what happened?—A. Well, afterwards, between half and three-quarters of an hour afterwards, Flint said he would go down and get some supper, and Reagan asked him why he didn't go Cronin's, and he said, " * * * I think I will; how do you get in there," and he said, "You go in the front way and go around in the back door; and you will get in all right."

Q. So that he registered from a house that he did not know how to get into?—A. Yes, sir.

Q. Do you know where Mr. Flynt (the name is spelt F l y n t) is at the present time?—A. I see by the papers that he has lit out, indicted for robbery.

Q. You understand, then, that he is a fugitive from justice?—A. Yes, sir,

Q. Do you know M. Regan, who acted as Democratic judge in your precinct?—A. Yes, sir.

Q. Where does he live?—A. Registered from 2818 Lawton.

Q. The same place?—A. Yes, sir.

Q. What sort of a house is 2818 Lawton?—A. It is a residence.

Q. Do you know who lives there?—A. James Cronin.

Q. Do you know whether A. J. Baumgartner lived there at that house on the 4th day of last November?—A. I think he was the only one of the 9, except Cronin and the hostler, that did live there.

Q. You mean that he and Walter Brown, who is the hostler for James Cronin, and James Cronin, that these are the only 3 men that lived at 2818 Lawton on the 4th of last November, election day?—A. That is what I found out from inquiry.

Q. Then that Arthur Flynt and James Regan and William Regan and John Sweeny and George Calloway did not live there?—A. That is what I understood from inquiry: yes, sir.

Q. Now do you remember the occasion when the board was revising and completing the registration list in that precinct, that there was a refusal to check names off of the registration when it had been ascertained and reported by the clerk of the precinct that the men whose names were before the board didn't live at these places where they had been registered from?—A. Yes, sir.

Q. Tell us about that.—A. I had the exact number that were scratched off—that is, scratched off on the books I had.

Q. Who made the 2 books you had?—A. Up at the city hall.

Q. Who scratched off these names?—A. I scratched some of them, or our clerk scratched some.

Q. The Republican clerk?—A. Yes, sir.

Q. What was the conversation about having these names left off of the registration list?—A. A great many names the Democratic clerk would not check off, and the Democratic judge kept urging to have them kept on.

Q. What Democratic judge?—A. N. Regan.

Q. What did he say?—A. He used some profane language, saying, " * * *, leave them on; leave them on. They are all entitled to vote. They won't vote if they are not entitled to."

Q. So they were left on the book?—A. On the book they had; yes, sir. You will find every name, I think, that was left on has a small lead pencil mark on, so they could tell—

Q. So that when they looked on their own books the names that had been improperly left on the list would be apparent to them?—A. Yes, sir. The Democratic clerk took bill heads that belong to Mr. Howard and copied these names that had the cross marks on and put them in his pocket.

Q. Now, do you know the premises 2824 Lawton avenue?—A. Fairly well: I pass by there two or three times a day.

Q. What sort of a house is that?—A. Three story, stone front.

Q. Do you know whether that house was occupied during the latter part of the month of October or during the first week of the month of November of this year?—A. It was occupied then, but I don't think it was about the 1st of October; that is my impression.

Q. Now, passing to the day of election, do you know of any repeating in that precinct?—A. Well, when the poll books were opened in the morning I had, knowing they had doctored them up, I had the original book, made it convenient to get hold of it myself without their knowing it—

Q. What book are you speaking of?—A. The original poll book. When they commenced voting a man would offer to vote and I would keep still and let Mr. Howard say whether he was scratched or not. After a while Regan would come around and look over my shoulder and see if they were not scratched. I think 5 votes were cast before he discovered that I had it—5 out of the crowd of voters—

Q. Five of what crowd of voters?—A. All the Democrats, I suppose.

Q. The votes were cast by whom?—A. I don't know the parties' names.

Q. By people whose names should not have been on the registration lists?—A. Yes, sir.

Q. Well, then what happened?—A. At the same time when Regan discovered that I had the original book he came and snatched it out of my hands and pushed the other book over to me.

Q. He snatched out of your hands the book that contained the small marks opposite the names thereon?—A. That ought to have been scratched off.

Q. The names of people that should have been scratched off the registration list but had not been so scratched?—A. Yes, sir.

Q. Go on.—A. After they changed books on me there were 8 offered to vote, but 4 did vote; after the exchange of the books five different men came in and voted—offered to vote—

Q. But they were people whose names should have been scratched off of the registration list?—A. Yes, sir.

Q. What effort did you make to keep these men from voting?—A. Did all the talking I could against it: told them they were not entitled to vote. The condition of affairs was this: A man was liable to have his head knocked off at any moment if he did anything contrary to what they wanted done.

Q. Who wanted done?—A. The Democratic judges.

Q. What was done when you protested against allowing these men who were improperly registered voting?—A. "Go ahead," they said, and swore " * * * they are entitled to vote, and they are going to vote."

Q. Were there any threats made?—A. Threatened to fix things with me if I didn't keep my mouth shut.

Q. Now, were the ballots all numbered at that precinct?—A. They ought to have been; it was the understanding when we first came that Mr. Taylor was to receive the ballots.

Q. Was that William Taylor, one of the Republican judges?—A. Yes, sir.

Q. Go on.—A. On account of his age and experience: but from the very opening Regan took charge. He stepped up and took the tickets from the man's hands in place of handing them to Mr. Taylor: would put them in the boxes, and he even snatched tickets out of Mr. Taylor's hands that were offered to him.

Q. So that he monopolized the function of determining who should vote and of putting in ballots, and of determining also what should be done and what should not be done?—A. Yes, sir: they put our Republican challenger out and had—I forget the party now, the Democratic committeeman—had him present, and he had a good deal to say and much was left to him.

Q. He was inside of the polls?—A. Yes, sir.

Q. Do you know John Irwin?—A. Yes, sir.

Q. Did he offer to vote at that precinct on election day?—A. No, sir: he had moved out of the precinct: didn't live there any more; but a man came in to vote his name, and I told the man, I says, "Your name is not John Irwin."

Q. How did you know that?—A. I know him. He worked for me: lived across the street from where I did. Without moving from the table he turned over his list and offered to vote another name. I ordered him arrested, and just then another crowd of men came in there.

Q. The polls were filled with the crowd?—A. Yes, sir: the police had gone out. When they ordered our challenger out I went out and told him to stay in the neighborhood, as I might want him, so I hallooed to him to send an officer in.

Q. You called the challenger?—A. To call the police: he sent him in, and I demanded this fellow's arrest.

Q. What did M. Regan, the Democratic judge, say?—A. "I will be damned if you arrest him," and they just took the fellow out to the door and turned him loose.

Q. Was the man taken out of the polling place?—A. Led to the door and turned loose.

Q. He was not arrested?—A. No, sir.

Q. Well, now, you say the polls was filled: who were there?—A. Well, this gang of repeaters.

Q. How large a room was it where you had the polling place?—A. Half the size of this office.

Q. Give it in feet as nearly as you can?—A. I suppose about 10 by 12, I should imagine.

Q. How many voting stalls were there?—A. Three.

Q. About how many of these repeaters came in there at once?—A. Well, I couldn't say. They were just crowding around demanding that they should vote; in fact, they had me so crowded against that table I couldn't move.

Q. Did you protest against their crowding in?—A. I demanded they should go out.

Q. What did Regan say to that?—A. "No. * * * they are going to stay; they are entitled to vote, and they are going to stay."

Q. Did they stay and vote?—A. They got in, to the best of my knowledge and belief, from 167 to 181 illegal voters out of this crowd.

Q. You mean, do you, from ballot No. 167 to 181, a total of 14, that these votes were, in your judgment, illegal?—A. Yes, sir.

Q. Was there any fighting between the judges; any blows struck between the judges, or either of them, or these repeaters?—A. One of them struck me.

Q. Where were you at the time?—A. I had to keep them from voting to close up my book, and I held it under my arm, like this (indicating), and just as I happened to turn around I did so in time to see them strike at my jaw. I did not get the full blow, but fell over on the platform there. I tried to keep them from monopolizing the books. There were five or six of these fellows trying to vote names that I knew personally; was well acquainted with—

Q. Six names they were trying to vote?—A. For instance, one fellow came to vote under the name of "Beucham." I got him to spell it and he spelled "Buchanan," and I says, "You are not entitled to vote," so I ordered the policeman to arrest him.

Q. Was he arrested?—A. No, sir; he was turned loose.

Q. What reason, if any, did the policeman give for not arresting him?—A. No reason at all. I was glad enough of their protection; if they had not been there we would have been unmercifully beaten.

Q. Was there any repeating done at that precinct at any other time except when these 14 votes?—A. Yes; there was. One man came in there—William H. McKnight is an old gentleman I am well acquainted with, in whom I am interested on account of his age, he was 86; and was born and raised in St. Louis, and I never meet him without talking to him—well, a fellow came in and claimed he was McKnight and wanted to vote his name, giving his residence as 2849, and there is no such number. The last number on the street is 45—no, 47 is the last number.

Q. How far was it to the nearest saloon?—A. Across the street—there is a garden across the street.

Q. Do you know whether it was open?—A. It was open. A man sitting about the polling place all day, it is necessary for him to get up and stir around a little, and on two occasions I walked out to the back of the stable, and I left Howard, whom I took to be an honorable man, in charge. When I came back, in each instance, he gave me two names that voted and said Flynt had marked them in my book, and Flynt says, "Yes; I marked them 'voted.'" On neither one was marked "voted." Both had cross marks, and afterwards they tried to vote again.

Q. Did they succeed?—A. No, sir.

Q. You protested?—A. Yes, sir.

Q. The Republican challenger was put out, but the Democrat remained in the polls all day. Who was he?—A. I can't think of his name—the Democratic precinct committeeman.

Q. Was he on the inside with the judges and clerks?—A. No; at the end of the table near the box.

Q. He was in the polling place all day?—A. Might have gone out a time or two and stopped a little bit.

Q. What was he doing there?—A. Seemed to me like he was helping decide the questions that would come up.

Q. Did he take part in the discussion?—A. Pretty generally.

Q. Give advice and directions?—A. Yes, sir.

Q. Were they heeded by the judges and clerks?—A. Seemed to me like they were, but I don't know that to be a fact.

Q. Now, was there any intimidation at that polling place other than that you have told us about?—A. No, sir; I think not.

Cross-examination by Mr. ROWE:

Q. You say early in the morning, when you had the original book, there were 4 voters that had a cross mark after them that you considered illegal voters?—A. Out of 8, 4 voted.

Q. I am talking about those that voted, not those that may have attempted to vote.—A. I said there were 4 out of 8; yes, sir.

Q. I didn't ask you what was attempted.—A. Be a little more gentlemanly in your questions, if you please.

Q. Yes, sir. After that book was taken out of your hands there were five more that were voted that had a cross mark after them?—A. Yes, sir.

Q. That you considered illegal?—A. Yes, sir.

Q. Now, when the crowd was in there, you say 14 votes that you considered illegal were cast?—A. Yes, sir.

Q. From 167 to 181?—A. Yes, sir; taken from the books.

Q. When Mr. Howard was in charge, and you had gone out temporarily and returned, you were informed by Mr. Howard that there were two votes cast that you considered to be illegal?—A. I said, sir, that it was after the "Indians," if I can call them so, the slugs—

Q. I am talking about the illegal votes that you have figured out. Mr. Howard said there were two cast there during the time you were absent—A. Understand; it was late in the afternoon, after the crowd had been around, after the 14 votes had been cast—

Q. Then there was one vote cast in the name of Mr. McKnight?—A. Yes, sir.

Q. Now, that makes a total of 26 votes that were cast there that you claim were illegal?—A. That I believe are illegal. I believe there were even more than that; a good deal more.

Q. And you never discovered anything in the way of irregularity that was being done there, did you?—A. I did all I could. There was such excitement there, men crowding in there in crowds, and some called out that they had been robbed.

Q. You didn't see any more irregular votes?—A. No, sir; I don't know of any more; no, sir.

Q. And you have told everything that you saw, everything that you heard, and everything that you know with reference to any irregularities that occurred that day at that polling place?—A. I have not.

Q. What else occurred?—A. These men using profane language and obscene language, going to the telephone and calling up the boys there, and such stuff as that—very bad language and a very poor way to carry on; it seemed as if they had men ready to come at their bidding at any time.

Q. Do you know Michael Regan?—A. I do; he says his name is Mike O'Regan.

Q. The man who acted as clerk?—A. Yes, sir.

Q. Do you know his business?—A. Only what he states, a barkeeper.

Q. Do you say M. Regan did not reside at 2818—A. I didn't say anything of the kind—

Q. Wait until I finish my question, if you please. Do you say M. Regan did not reside at 2818 Lawton in October or November of this year?—A. I said I inquired, and the party I inquired of said that he did not.

Q. I ask you did you say so?—A. No, I don't positively say so.

Q. Do you say Arthur Flynt did not live there?—A. No, I did not say that. I said from conversations—

Q. I am not asking who said it. Did you say he did not live there?—A. I won't swear he didn't live there once.

Q. Do you pretend to say Arthur Flynt is a fugitive from justice?—A. I stated I judged so by the papers. I saw where he held up those actors at 510 Market; I saw further that there was an indictment against him, and that the man couldn't be found.

Q. Do you say he was a fugitive from justice?—A. That is the way I looked at it from what I saw in the papers.

Q. You are now telling what you read in the papers?—A. Yes, sir.

Q. That is your only source of knowledge and information with reference to that?—A. Yes, sir.

Q. The public that read the papers had just as much information as you, didn't they?—A. Certainly they did.

Q. You say the house 2824 is a double stone front?—A. No, sir; three-story stone front.

Q. You don't know whether it was occupied during the months of October and November of this year?—A. I do not. I know it was occupied during the latter part of October, probably the middle. I do not know personally whether it was occupied on the 1st.

Q. Was it occupied in November?—A. What is that?

Q. Was it occupied in November?—A. Yes, sir.

Q. What is your business?—A. Real estate.

Q. Where at?—A. No. 1021 Chestnut.

Q. Are you connected with any firm?—A. No, sir.

Q. You are in business on your own account?—A. Yes, sir.

Q. Not in a partnership or corporation?—A. No, sir.

Q. You say they refused to scratch certain names off of the list?—A. Yes, sir.

Q. Don't you know, as a matter of law, that you had no right to scratch any name off of the list without first sending a communication to the person that was

charged with being improperly registered and notifying him to come in on revision day?—A. That is different from what I have been informed. We scratched them off and sent them a notice, and when they came they were reinstated. I believe out of 50 or 70 there were 3 that came back—something like that.

Q. The course pursued by you was to scratch the name off?—A. Just put a line underneath.

Q. And then notify them?—A. Yes, sir.

Q. Were you present the whole day that was set apart for the parties to come in and show cause why their names should not be stricken off?—A. I was, the whole day.

Q. And only three persons came?—A. I couldn't say positively: very few.

Q. What knowledge did you have that the notices were sent to these parties?—A. None: only what the clerk told me.

Q. Did the clerk tell you all had been notified?—A. Yes, sir: he had a list of them.

Q. Both the clerks told you?—A. No: the Republican clerk and the Democratic clerk, too, in several instances.

Q. How many names were stricken off?—A. I forget. I had a list, but I have forgotten.

Q. Give us your estimate.—A. I couldn't: I don't remember.

Q. Now, do you know of any illegal votes that were cast there other than the 26 that you have specifically described in your testimony?—A. No: not to a certainty. There may be one or two of these that are not illegal: I don't know.

Q. Do you know who Regan is bartender for?—A. He told me Cronin.

Q. Jim Cronin was a candidate for justice of the peace?—A. Yes, sir.

Q. In that district?—A. Yes, sir.

Q. Do you know John R. Butler?—A. I do not.

Q. You don't know whether he was the Democratic central committeeman for that ward—the Twenty-second? I have reference to the precinct committeeman. The precinct committeeman was Mr. John Butler?—A. He might have been.

Q. Did you see him there?—A. Not that I remember; he may have been there.

Redirect examination by Mr. RICHEY:

Q. In your cross-examination you spoke of robbing at the precinct. What do you mean by that?—A. When this crowd was in there several persons cried out, "I am robbed."

Q. In where?—A. In the polling place. One of them I ascertained afterwards to be a party connected with that laundry on Pine, near Twenty-ninth. I forget who the others were: they told me their names, but I forget them.

Q. They were robbed in the polling place during the progress of the election?—A. Yes, sir.

WILLIAM TAYLOR, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. William Taylor.

Q. You live at 2911 Lawton?—A. I do.

Q. You were one of the judges of precinct six of the Twenty-second Ward at the last election?—A. I was.

Q. Do you know of any false or fraudulent or padded registration in that precinct, Mr. Taylor?—A. At one time there I was stooping down looking at the ticket, putting my initial across the back—

Q. This is election day you are speaking of?—A. Yes, sir: all at once there was a terrible uproar, and I jumped up and put my hand on the box, and there was from 15 to 20 men in there, and they all wanted to vote, and one fellow in particular—his name was Hogg—and, well, that is a very peculiar name, and it struck me very forcibly in the morning, and I says, "That name has been voted by the right party:" when these men came in the police went out.

Q. After these men came in the police went out?—A. Yes, sir; cleaned out; not a policeman to be seen, and Mr. Evertson he sat with his hand on the book, and they were leaning over him this way [indicating] and trying to get names off of the book,

Q. Who was?—A. This gang.

Q. What book?—A. The poll book; looking over it to see what name to get, and Mr. Evertson closed the book, and one man up with his fist and made a blow at him, and I really thought knocked him down. Mr. Evertson told me afterwards

he just glanced him. There is a step going up to the desk, and he told me afterwards he fell there; then this man, Mike Regan—

Q. The Democratic judge?—A. The Democratic judge; he just went over and snatched the book from him.

Q. From whom?—A. Evertson.

Q. That is the Republican judge who has just testified?—A. Yes, sir.

Q. Now, did you hear anything there that day about robbing in the polls?—A. No; I didn't hear anything. I was too much taken up with the box; my attention was on the box; my hand was on that during the excitement to keep anybody from voting.

Q. How old a man are you, Mr. Taylor?—A. Seventy-seven the second of this month.

Q. You are a little hard of hearing?—A. Not much; a little; a man has got to speak loud for me, so I can hear him.

Q. Was there a Republican challenger in the polling place?—A. There was not.

Q. Why?—A. He was ordered out.

Q. By whom?—A. The Democratic judges, Regan and this man, the prize fighter; I don't know his name. I knew he was a prize fighter.

Q. You mean Arthur Flynt?—A. I don't know his name.

Q. Did the Democrats have a representative?—A. One sat there all day.

Q. What did he do?—A. He dictated, whispered around; a great deal of whispering was going on all day.

Q. Well, now do you remember when Mr. Evertson demanded that some men there be arrested?—A. Yes, sir.

Q. Were they arrested?—A. They were not; it has been all the time that a policeman would not arrest any man; he would not arrest them. I have seen a policeman with his hand on him when told to arrest him; he had his hand on him at the time, and he did not arrest him.

Q. What excuse or reason did he give?—A. None at all.

Q. When Mr. Evertson demanded that these repeaters be arrested, what did Mr. Regan the Democratic judge say, if anything?—A. Told them not to arrest him.

Q. And whom did the policeman obey?—A. Obeyed the Democratic judge, because they were feeding them beer all day.

Q. Was the saloon open all day?—A. Yes, sir; open all day, because, I suppose, gallons of beer came in that day at the polls; they had a glass pitcher, and that pitcher must have been about that tall [indicating].

Q. About 8 inches?—A. Fully 10 inches tall; and they sent out for beer, and when the two police were through with it I passed it over; I never tasted it myself; I passed it over to Regan, and there was not over that much [indicating] in it—

Q. Two inches?—A. Not more than 2 or 3 inches.

Q. What became of this 2 or 3 inches?—A. Mr. Regan and the prize fighter had it.

Q. Do you mean Arthur Flynt, the Democratic clerk?—A. Yes, sir. In fact, Regan had his bottle of whisky, and had a bottle of soda water right at the polls.

Q. Well, did the whisky disappear with the same smooth rapidity that the beer did?—A. When the whisky was gone then they had the beer.

Q. Do you know the premises 2907 Lawton avenue?—A. Yes, sir.

Q. Do you know who lived there?—A. Mr. Burke lives there with his three sons and son-in-law.

Q. Who lives at 2909?—A. Mr. O'Brien, John and his son lives there.

Q. Does Patrick Conner live at 2909?—A. Them two men, two brothers belonging to Mrs. O'Brien, didn't live there at the time, but voted from there all the time.

Q. Who were these two men?—A. Brothers of Mrs. O'Brien; Mrs. O'Brien is now dead; one lives there steady.

Q. What is his name, Connor?—A. Connor; yes, sir.

Q. Did Patrick Conner live there on election day?—A. No; but he voted from there.

Q. Take the witness.—A. I want to tell you something else about these names that were taken off—

Q. Taken off of what?—A. Taken off of the books.

Q. Of the registration list?—A. Yes, sir; there was between 50 and 60, and this man—prize fighter Flynt—he was not there, he was out all the time.

Q. He was not where?—A. At the revision.

Q. Of the registration in that precinct?—A. He was out attending to something else, and our clerk was pretty well used up during the day, doing his work, too, and I seen the fellow was tired—

Q. Who? J. H. Dodge, the Republican clerk?—A. Yes, sir; so I says, "I will write them names off for you," and I took three sheets of paper—if you will tell

me how many lines there is on them sheets of paper that belongs to the registration I can tell you exactly how many names—as near as I can tell, there are twenty lines on each sheet: I filled two full sheets and two-thirds of one—

Q. With names?—A. Yes, sir.

Q. One name to each line?—A. Yes, sir. As I got them finished I rolled them up, and just as I rolled them up Mr. Regan came in and I showed them to him, and he says, "What is that?" and I wanted him to see them, of course, as one man would show another: and when he looked at that he put it in his pocket, and I says, "That belongs to me." He paid no attention to me. In the first place, my partner here had the books—

Q. That is, your brother Republican judge?—A. Yes, sir.

Q. Mr. Evertson?—A. Yes, sir. We brought the books up from the office, and at the close I told him we had better take the books back. We had charge of taking these books, so, you see, each judge and clerk have to sign these papers I made out for the judges to sign, but Mr. Prize Fighter Flynt he was not there, and after they came back they wanted the books, and when they saw they couldn't get them he pulled this paper out of his pocket—

Q. What paper?—A. That I had the names on. He kept his hand on that paper, signed his name on, and when he seen I was ready to go I just reached over and took back the paper: meantime, he had these books.

Q. Who had?—A. Regan. I told him I would have to have those books back. I was going to take them back, and he seen he couldn't get the papers he handed me the books. Well, now, Mr. Evertson went down with the books, and I was going down too, to see that he got there. We were afraid for our lives, and nothing else but my age saved me.

Q. From what?—A. A good thrashing. Nothing else in the world saved me but my age.

Q. At whose hands?—A. The prize fighter and Regan.

Cross-examination by Mr. ROWE:

Q. Have you any more woe to proclaim?—A. Any more what?

Q. Woe?—A. I don't understand you.

Q. No? Delighted to know that. Now, you say that Patrick Connor did not reside at 2909 Lawton avenue on last October?—A. I say he did not reside there, positively—in October, that is.

Q. You have no doubt about that?—A. No doubt at all. I know who resides there.

Q. How do you know that he did not reside there?—A. Because I live next door to him. There is no hearsay about it.

Q. He is or was a brother of Mrs. John O'Brien, now deceased?—A. Yes, sir.

Q. Did you ever see him there in the house?—A. Oh, I saw him there regularly.

Q. How frequently had you seen him there?—A. Every week end, anyway.

Q. You were very careful to see that no fraudulent ballots were cast at the election?—A. I done my best.

Q. How many fraudulent ballots do you figure out as having been cast?—A. I didn't figure out any. I left that to the balance. As much as I could do to attend to the books.

Q. Do you know any single fraudulent vote that was cast there at that election?—A. Yes: I know there was 3 or 4 at the time that rush came in. They got away from 4 to 5 fraudulent ballots in.

Q. And that is the extent of your knowledge with reference—A. In that respect.

Q. The fraudulent voters?—A. Yes, sir.

WALTER W. TRICE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. State your full name.—A. Walter W. Trice.

Q. You live at 622 North Beaumont street?—A. Yes, sir.

Q. What is your business?—A. Working in the post-office under Collector Galenkamp.

Q. How old are you?—A. Forty-one years old.

Q. Man of family?—A. Well, I have been. I have lost my family. I am a widower.

Q. Are you familiar with the premises 409 North Levee, and do you know William Lee, who is president of the East End Colored Men's Jefferson Club and has a saloon and gambling house at those premises?—A. Well, yes: I never knew Mr.

Lee until registration day. There was a man that works down there with me told me who he was. He called my attention to what Mr. Lee was doing there that day—registration day.

Q. You mean registration day or election day?—A. Registration day.

Q. Yes; now, tell us what you know about that.—A. Well, Mr. Columbus Fleming and myself—he called my attention to it, and I went over to the window and he says, "Look here; Lee has all those niggers up from the levee registering them and paying them 25 cents a head to go there and register." So I went over to the window where Lee was. I stood at the window and watched to see what Lee was doing. Lee would pull a card out of his pocket which would seemingly have a name written on it, and he asked the fellow "What is your name?"

Q. Did you hear that?—A. I heard it. There was four or five of us up there that heard it—"What is your name?" For instance, it would be "Jim Brown." "Where do you reside?" "Such and such a number." "How long have you lived in this State?" "Such and such a number of years." "In the city?" "So long." Then he would make him repeat that over three or four times, and then he handed him the card and says, "Well, I guess that will do. Go and register." And when the fellow came back Lee took the card and put his hand in his pocket and gave him a piece of money and took the next fellow.

Q. How many men did you see Lee treating this way?—A. I saw about half a dozen; but that thing was going on all day. I saw him there, but I never paid any attention to what he was doing until the afternoon, until Fleming called my attention to it. He was doing it when we left work at 5 o'clock—still had a gang of men there.

Q. Is that the extent of your information?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. Lee was educating "Jim Brown" and the other negroes down there as to what were the qualifications for an elector in the State of Missouri?—A. Seemingly that was what he was doing, sir.

Q. You don't know how many negroes were educated?—A. No, sir; I don't.

Q. Don't know anything about whether they registered?—A. Yes, sir; they registered, because I made it my business to go to the corner and watch; I looked in the barber shop and wanted to see what they were doing; I came up to the courthouse to try to get some newspaper man; I wanted to get a little fellow who is a reporter that I know on the Star and bring him down and see just what they were doing, but I couldn't find him; I went up and saw they were registering.

Q. Do you know whether those negroes were residents of the—A. No, sir; I don't.

Q. You don't know anything about whether they were residents of the State of Missouri and the city of St. Louis and that precinct or not?—A. No, sir.

Q. Didn't know where they lived, where they resided?—A. No, sir; knew nothing about them: just appeared to me to be roustabouts.

Q. You were told that they came from the levee?—A. I know they came from the levee, because I go down there frequently at noon hour.

Q. The levee is in that precinct, isn't it?—A. Yes, sir.

Q. How many of them occupy rooms there?—A. I don't know anything about that.

Q. According to your experience?—A. Well, I don't know anything about that.

Mr. RICHEY. This was in the first precinct of the Fourth Ward?

WITNESS. Yes, sir; they did it all day long.

I, James D. Halter, notary public within and for the city of St. Louis and State of Missouri and residing within the Twelfth Congressional district of Missouri, do certify that there came before me in the city of St. Louis and State of Missouri aforesaid between the 29th day of December, 1902, and the 31st day of December, 1902, inclusive, the several witnesses whose names are subscribed by them respectively to the foregoing depositions given by them who were by me severally sworn to the truth of their knowledge touching the matter in controversy aforesaid; that they were examined and their examination reduced to writing and subscribed by them in my presence on the days and year as above indicated, and that their said depositions are now herewith returned.

Contestant's Exhibit No. 8, part 5—A. R. Russell, notary public.

ST. LOUIS, MO., *December 30, 1902.*

Parties met pursuant to adjournment at 10.15 a. m., and the further hearing of said depositions was continued as follows:

C. E. UDELL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHY:

Q. What is your name?—A. C. E. Udell.

Q. Where do you live?—A. 4009 Westminster place.

Q. What is your age?—A. Fifty-four.

Q. In what business are you engaged?—A. In the wholesale cheese business.

Q. How long have you lived in the city of St. Louis?—A. Thirty-six years next month.

Q. Were you in the city of St. Louis on——A. Hold on; thirty-five years next month.

Q. Were you in the city of St. Louis on election day, November 4 last?—A. Yes, sir.

Q. Were you in the Twenty-third Ward on that day?—A. Yes, sir.

Q. How much of the time did you spend in the ward on that day?—A. I guess I spent half of the day.

Q. Will you tell us what you saw and what experiences you had in the ward on that day?—A. Well, I was prompted to go over from the reports that the thirteenth precinct was padded.

Q. What do you mean by padded?—A. The registration lists.

Q. Is that the——A. For instance, it was reported that a great many—several hundred—were registered from the Butler sloop stables.

Q. At 3865 Forest Park boulevard?—A. Yes, sir; and I went over there, and the first thing that indicated any crowd was a number of colored men coming from the stable.

Q. From what stable?—A. From that Butler stable. I believe it is the sloop contractor's stable.

Q. Where was the polling place?—A. On the north side of Manchester road, just west of Spring.

Q. 3507 Manchester avenue?—A. Yes, sir; next or near to a saloon. The saloon is on a corner.

Q. Now, you say you saw gangs of negroes coming from what direction?—A. From the stable across the lot. They went in there, into a small row of buildings on the east side of Spring; went into an alley there and came through those buildings, where there was some colored women had their heads out of a window, acting as though they were sentinels. Then after the colored men went into this building they would go through another little alley and come around that. There was only one of them I recognized as being in line who voted, being in line twice. I saw him and recognized him as having been in line before, and I went up to the policeman and pointed him out, and I said to the policeman, "Why don't you arrest that man? He has been there and voted before, and you know it." "Well, it is time enough for me to arrest when the judges kick," he said; "it is nothing to me."

Q. Did you tell the judges about the repeating?—A. I didn't see the judges.

Q. Why didn't you?—A. Well, I didn't know as they would allow me in.

Q. Did you ask the policeman there about letting you in here—letting you witness the voting?—A. I didn't ask him to go in at all.

Q. Was he keeping people away from the polling place?—A. There were three or four of us, citizens, and two or three others there. We were around there for a time; we stood on the corner for a little time near the polling place and then the police told us to go away from there.

Q. What reason did he give for telling you to go away from there?—A. It was not a hundred feet from the polls.

Q. Did he tell you you would have to keep a hundred feet away from the polls before you demanded that the policemen arrest this repeater?—A. No, sir; it was after I did that.

Q. Proceed——A. Then we went around and stood on the ——, just north of Manchester road, on the west side of Spring, right near the back entrance to the saloon, and finally the policeman came around and told us we would have to get away from there.

Q. How far were you away from the polling place there?—A. Oh, by measurement it might have been from 75 to 80 feet some of the time, or maybe 100 feet.

Q. Were you across the street?—A. No, sir; just around the corner.

Q. What were you doing there?—A. Just stood there talking among ourselves.

Q. Watching?—A. We were watching just to see what we could see.

Q. Were you making memoranda of what you saw?—A. Not just there we didn't. Well, then, when the officer ordered us away from there we went on the south side of Manchester road, directly opposite from the polling place.

Q. Across the street?—A. Across the street, on the south side of the street, while the polling place was on the north side. Finally a man who seemed to be a hanger-on about there came over with an officer and told the officer to get us away from there. The officer came and told us we were annoying the judges and that they wanted us to get away from there. Well, we remarked that we were not interfering with the judges or having anything to do with the judges. Well, he said, "You will have to get away from here. You are within a hundred feet of the polls." I said, "Well, we are not electioneering. I think the law states that we shall not electioneer within 100 feet of the polls. We are behaving ourselves." He insisted on us going away or he would arrest us, and I said, "All right; arrest us." We stood there a while and he said it was against the law to be there, and I said, "Why, if you are so energetic in enforcing the law why don't you close those two saloons that are open? You know that it is against the law for them to be open election day." "Yes, but we have no order to close the saloons," he said. Afterwards I met one of the police commissioners, and he said they had given no orders, so the officer was correct in that. They had given no orders to close the saloons.

Q. Who was it you saw?—A. A police commissioner.

Q. Which one?—A. Mr. Ballard.

Q. What is his first name?—A. I don't know.

Q. He told you that he—no orders had been issued to close saloons on election day?—A. Yes, sir.

Q. Well?—A. Well, finally it commenced to rain, and then we went over on the southeast corner under an awning. We were then clearly 100 feet away, so the officer couldn't say any more.

Q. This was across the street?—A. Yes, sir.

Q. Across Manchester street from the polls?—A. Yes, sir.

Q. And you were across Spring avenue from the polls also?—A. Yes, sir; diagonal.

Q. You were a half a block away from the polls?—A. Yes; nearly. Well, not a half a block. We were 150 feet at least. Well, we hadn't more than gotten there before a gang—well, I didn't count them—anywhere from 25 to 50 fellows—came out of the saloon.

Q. Out of what saloon?—A. The saloon on the northwest corner of Spring and Manchester.

Q. About—A. Right next to the polling place.

Q. Fifty feet west?—A. About 50 feet east of the polling place.

Q. East of the polling place?—A. Yes, sir; and they congregated around the polls and formed in lines and countermarched, and they were hanging around there, though they seemed to move very rapidly, as though when they went in they didn't take long to vote.

Q. Now, having been driven away from your position across the street from the polls, you couldn't see these men actually deposit their vote?—A. No, sir.

Q. But you could see them form in line and pass into the polling place, shortly afterwards coming out?—A. Yes, sir.

Mr. BUTLER. Oh, we object to these statements made by counsel.

Mr. RICHY. Very well, make your objection. Put it down; get it into the record. But I don't propose to be stopped from pursuing my method of examination.

The WITNESS. These men hung around there. There was a crowd of them. They sat down on the seats around the polling place and under the awning. The officer didn't seem to disturb them any.

Q. How near the polling place were they?—A. Five, 10, 15, 20, 25, and 30 feet—all around; a crowd of them around there.

Q. Without any interference on the part of the officer?—A. No, sir; the officer didn't seem inclined to disturb them at all.

COUNSEL. He was onto his job, evidently.

The WITNESS. Didn't disturb them.

Q. Who was this man, this hanger-on you speak of, that came across with the policeman and demanded that you should be put away? Was he a policeman?—A. No, sir; he was not. I said to him, "What are you hanging around the polls for?" He said, "The policeman had driven me away several times." At the same time he seemed to be standing in with the policeman.

Q. Was he driven away then?—A. No, sir; not driven away. The policeman didn't say anything about his leaving there. Well, this crowd of fellows seemed to be under the management of three leaders. There were three fellows seemed to be

leading them and manipulating them in line, etc. When I saw them in line I took a memorandum book out of my pocket, like this, as though I was making a memorandum, and I stood there as though I was writing something down, and those three fellows saw me; they pointed to me and seemed to hold consultation. Finally one of the three came across to where we were, just to the gutter, and made a motion to me to come to him, in a very threatening manner; it seemed as though he wanted to see me very badly. I paid no attention to him. We watched the proceedings there until it began to get a little late, and some of them remarked that they did not think it would be safe for us there after dark; so the balance of the party, the other four gentlemen who were with me, went to the Vandeventer car to go home. I thought I would go over to the next precinct, on the corner of Chouteau and Spring; so I started south alone. I had not gotten far before I noticed a crowd of probably twenty-five, with these three leaders in the lead, following me. My first impression was that perhaps they were going over to the other precinct. I walked briskly; it was raining and I walked briskly, and they walked more so. Finally the three leaders started to run.

Q. Toward you?—A. Toward me; following me. Well, I thought possibly they were after me, and I would find out if they were, so I deliberately walked across the street, and at the time I got across the street these three men were there facing me. I had my right hand in my pocket, and the spokesman of the three said, "Take your hand out of your pocket." Well, there was three of them there, and I was in the humor of obeying orders. I took my hand out of my pocket, and one of them thrust his hand in my pocket, I suppose to see if I had a gun. Then they said, "We want that book." I said, "What book?" "That book you were writing in." At that they commenced going through my pockets, took out all my papers; the papers out of this pocket, and went through all the pockets; looked at everything and felt in different pockets. They didn't find anything that disturbed them. The leader of the gang says to his men, "Go on back." I went on. Then, to get back to the question of the colored men. To see what they were doing I went over toward the stable after they had voted, and others were going that way, and I wanted to see where they were. They went in one side of the stable fronting—

Q. On the corner of 3865 Forest Park boulevard?—A. Yes, sir. I hung around there a little while, and when I had hung around there a little while, finally I saw them forming in an alley, right at the mouth of an alley, with the same leader.

Q. The same leader being one of the three leaders?—A. No, sir; he was a colored man. He was the one that was manipulating and leading the colored men when the colored men were voting. The colored men voted before these white fellows. This same colored man, I recognized him plainly, because he had a large yellow mackintosh on, he seemed to be manipulating them and forming them. They were forming in a company there again and would go across north to Laclede and started down Laclede. Just then it was raining very hard, and I had no umbrella, and I caught a car and went north. That is about a record of my existence in that ward.

Q. Did you see the policeman go into or through the saloon during the time you were there?—A. No, sir.

Q. Who were the four gentlemen that you mentioned?—A. Well, Mr. Will Stuyvessant and his brother, Captain Hortecamp; the fourth gentleman, I don't remember his name, I never had met him before.

Cross-examination by Mr. BUTLER:

Q. Where do you live?—A. 4009 Westminster.

Q. What district is that in?—A. Twelfth district.

Q. In the Twelfth Congressional district?—A. I think it is in the Twelfth Congressional district.

Q. Are you quite sure of that?—A. I am under that impression.

Q. Were you employed on that day by Mr. McCarthy, of the Furlong Detective Agency?—A. No, sir.

Q. You were not?—A. No, sir; employed by no one.

Q. Not employed as a detective that day?—A. No, sir.

Q. You were not one of the men, then, who were employed by McCarthy and given a blue or a green badge to wear?—A. No, sir.

Q. As a designation of your authority?—A. No, sir.

Q. You were not one of the men who answered the advertisement, then, for that purpose?—A. No, sir.

Q. Now, you speak of the Butler stable. Where is this Butler stable, so called?—A. It is on Vandeventer avenue and Forest Park boulevard—the north side; northeast.

Q. Why do you call it the Butler stable?—A. From general hearsay. Generally called Butler's garbage stable—garbage stable.

Q. What is the name of the stable? Isn't the name on there in plain letters?—A. Well, if it is I can't say what it is; I never—I go there very little and know very little about it.

Q. You saw everything else in the neighborhood on that day, even the little dark alleyway and the colored women at the windows and the gangs; possibly—A. I was looking for men; I wasn't looking for signs.

Q. You saw the stable, didn't you?—A. Oh, yes. I didn't look overhead, though.

Q. Don't you think you could possibly see the name of a stable in large 5-foot letters that are on it? Don't you think it was the Excelsior Hauling Company's stable?—A. I couldn't swear that I knew it was that.

Q. Do you know or can you swear that it is the Butler stable?—A. I only say it is called that. I don't know the name of it.

Q. You don't know of any Butler connection with the stable, do you?—A. Not to my own personal knowledge.

Q. Or from any other knowledge except what you have heard?—A. What I have heard.

Q. Don't you know, as a matter of fact, that it is the stable of the Excelsior Hauling Company?—A. I don't know anything about it.

Q. Don't you know, as a matter of fact, that Butler is not the contractor for the garbage hauling in the city of St. Louis, as you say?—A. I don't know any such thing.

Q. Do you know that he is?—A. I don't know that he is, only what I hear. I understand, as a matter of fact, that he controls it.

Q. What you have testified to is simply what you have heard and not from your own knowledge?—A. What I have testified to?

Q. Yes.—A. What do you mean?

Q. Well, what part of it—how much of it is hearsay?—A. Oh, all of it, with reference to the stable; as to whether it is owned by one person or another I have no personal knowledge.

Q. You have no knowledge of it?—A. Only I have seen it in the papers; seen the statement that Butler was a stockholder and he was interested and took active part in it. Of course that information I have—

Q. Are you a stockholder in any corporation in St. Louis?—A. Yes, sir.

Q. What corporation?—A. In several.

Q. Name some of them.—A. Provident Chemical Works, for one.

Q. Have they a stable?—A. No, sir.

Q. Are you a stockholder in the transit company?—A. No, sir. Well, yes, I have a little stock in that company.

Q. Well, you wouldn't call the transit company's stable the Udell stable, would you?—A. No, sir. Yes, I would if I had perhaps taken sufficient interest in it for them to have given it my name. Those things go that way.

Q. You don't consider if you have stock in an enterprise that the thing has a right to be named after you, do you?—A. Well, I only infer that the name came from the fact that he was the originator of it; that is—

Q. You are like a good many people, anxious to infer things that suit your convenience, are you not?—A. I am not inferring anything.

Q. You are not?—A. No, sir.

Q. You have inferred a great deal that you have presented in your testimony evidently.—A. Maybe it don't suit you.

Q. What is that, sir?—A. Maybe it don't suit you.

Q. Well, we will find that out later. You say you saw men coming from the stable?—A. Yes, sir.

Q. Of the Excelsior Hauling Company?—A. Yes, sir.

Q. How many men did you see coming from there?—A. I didn't count them.

Q. Didn't count them?—A. No, sir.

Q. Where were you at that time?—A. I was on Spring avenue near Manchester road—north of it.

Q. How far north of Manchester road?—A. Well, all sorts of distances.

Q. Now, what distance were you when you saw those men emerge from the stable?—A. I was on the north side when I saw them coming—commence to come from that direction.

Q. Coming in that direction; on the north side of what?—A. North side of Manchester road near Spring avenue.

Q. North side of Manchester?—A. North side of Manchester road on Spring avenue.

Q. On Spring avenue, north of Manchester road?—A. Yes, sir.

Q. How far north?—A. I was different distances.

Q. Well, how far were you when you saw them come from the stable?—A. From 50 feet to 150 feet; two or three hundred feet; I went over to the stable, went all the way over; so I was at different distances.

Q. When you first saw them coming from the stable, how far north of Manchester road or avenue were you?—A. I can't say; I was on the vacant lot up there; they ran across that from the stable; I didn't measure it; it was a vacant lot, so I got a view of the stable and could see it all.

Q. You were on a vacant lot in place of Spring avenue?—A. I was there; I tell you I was all along there at different times.

Q. Well, but I want to know where you were at this particular time that you saw these men emerge from the stable?—A. When I first saw them come from the stable, of course I couldn't see them. I saw them when I was on Spring avenue. I saw them coming from that direction.

Q. Yes. That is to say, when you first them you couldn't see them?—A. Oh, well, I didn't say such thing.

Q. Don't you know, as a matter of fact, that you couldn't see them from Spring and Manchester avenue emerge from the stable, even though they had done so?—A. I didn't say I saw them emerge from the stable from Spring avenue.

Q. You just testified so. You testified to that on your direct examination and cross-examination?—A. I deny it, sir.

Q. You said at one time you saw them, and then you said you didn't see them. Now, what did you see?—A. Hold on, let me state the matter correctly. I want to answer the question. When I saw them on Spring avenue I saw them coming from that direction, and I came down to see where they came from. And then I went up on the vacant lot to see where they came from after I first saw some of them coming there. I didn't see the first ones that came down—I didn't see where they came from, but later, when I went on the vacant lot, then I saw where they came from. Do you understand now?

Q. Now you are getting yourself a little straight: you were a little bit muddled before.—A. I was straight before; it was your thick head that couldn't understand it.

Q. You say the first time you saw them coming from the stable you didn't see them coming from the stable?—A. I saw them coming from that way.

Q. From that way, but you didn't see them come from the stable?—A. I saw them coming from that way.

Q. From that way, but you didn't see them come from the stable?—A. These first few that came from that way.

Q. But you don't know where they emerged from?—A. The first few—I couldn't swear that the first few came from there, but later when I saw them coming, as I say, I went on a vacant lot and I saw where they were coming from. It was then I saw those coming from there.

Q. You made a statement on direct examination that you saw a crowd come from the stable. That was incorrect, was it not?—A. No, sir; I saw them come from the stable after I went on the vacant lot, in addition to those I first saw coming from that direction.

Q. You said that you didn't say you saw them. Now, which direction did they come when you saw them the first time?—A. They came across—they were coming across the vacant lot from the direction of the stable and went into the alley on the east side of Spring avenue.

Q. What alley?—A. A little alley that ran parallel with Manchester road, north of Manchester road; opened out from Spring avenue going east.

Q. How did they get into that alley from Forest Park boulevard?—A. They came across the vacant lot. As they came across the vacant lot—if you would like to have me make a diagram I will do it.

Q. No; I will understand it if you testify. Go on.—A. They came across the vacant lot, and as they came across the vacant lot on to Spring avenue they had to go a few feet to cross Spring avenue to that alley.

Q. Yes.—A. Running east.

Q. Yes.—A. Then they went into the alley and into the back door.

Q. Went through two alleys?—A. What?

Q. They penetrated two alleys?—A. No, sir; I didn't say anything about two alleys.

Q. You said in your direct examination they first went into one alley and then went into another.—A. They went back of the houses, and then when they came out there is a little narrow alley 2 or 3 feet wide that goes out south of those buildings.

Q. Yes.—A. They came out from that little passageway.

Q. Did you go with them through those alleys?—A. I did not.

Q. Did you see them enter or go through all of those alleys?—A. I saw them go into one alley one way and go out the other.

Q. Which crowd was this—the crowd that came from the stable or the second crowd?—A. The last crowd.

Q. They all went over there? All went the same direction?—A. Yes, sir.

Q. Now— A. I was all around there; went up on the vacant lot and went over to the stable, and I stood at the mouth of the alley. I wasn't in any one place; I was all about there, so I could see as a matter of curiosity.

Q. How many different crowds did you see emerge from the stable in question?—A. Oh, it was just a string of them.

Q. Well, now, what do you mean by a string of them?—A. Well, in strings of three, four, five, six, seven, and eight, along in a bunch.

Q. Was that done constantly?—A. Yes, sir; that is, constantly for a few minutes. I didn't count them.

Q. You saw them emerge from the stable?—A. I saw some of them.

Q. Now, how many did you see emerge from the stable?—A. Didn't count them.

Q. Five, six, ten, or twenty in each?—A. There was certainly, to be on the safe side, five, six, or ten—along there; that would be the minimum; I don't know how many more; I didn't count.

Q. You said a moment ago there was 25 or 30 that first emerged from there?—A. No; 25 or 30 came from there, all told.

Q. Will you tell us how you could possibly see those men emerge from that stable and at the same time see them go to the polls on Manchester avenue and Spring avenue and vote, as you testified on direct examination?—A. I didn't say I saw them vote; I saw them forming in a line and go into the voting place.

Q. You spoke repeatedly about them going to vote.—A. Well, that is taking for granted that when they form in a line and go to a voting precinct they go to vote; go in there to vote.

Q. That is another one of your inferences?—A. A merely natural inference.

Q. An inference?—A. A natural inference, sir.

Q. You saw them emerge from the stable and at the same time you saw the same crowd go and vote; go in and vote?—A. I went back and forth all around there. I went over and stood on Manchester and watch some of them go in there, and I went over when they came out of the passageway and saw them forming in line.

Q. Was it raining on that occasion?—A. I think it had just commenced sprinkling a little; just at that time when they commenced coming over there.

Q. Did you have an umbrella?—A. No, sir.

Q. Did you get wet?—A. Yes, sir.

Q. Did you catch cold from it on that day?—A. No, sir.

Q. How many men did you see during that whole half day of your examination around there that you are willing to say were improper voters at that precinct?—A. I wouldn't say anything of the kind. I didn't recognize any of them; I didn't know a soul that I saw there.

Q. You don't know, then, whether any of them were illegal voters or not?—A. No, sir.

Q. You are very desirous of having bad impressions conveyed, however, in this record, are you not?—A. I told you that it was reported to me that the precinct was badly padded, and I was curious to see the work in that precinct and ward under the Nesbit law, where it was reported.

Q. Yes?—A. Watch that kind of business.

Q. You said in your direct examination that you were prompted to go there by those reports?—A. Yes, sir.

Q. Who prompted you to go there?—A. Why—

Q. Who requested you to go there?—A. It was general talk. I was at one of our club meetings over at the club, where these things were talked over. Nobody suggested my going there.

Q. Did you vote on election day?—A. I did.

Q. Where did you vote?—A. On Olive street, near Forty-second street, on the south side. I voted where I was registered.

Mr. RICHEY. And from the ward you live in?—A. And from the ward I live in.

Mr. BUTLER. Well, that is not in the old Twelfth Congressional district, is it?—A. I don't know.

Q. Well, do you know whether you voted for Wagoner or not?—A. I voted for Wagoner for the short term and for Reynolds for the long term.

Q. You are quite positive of that?—A. Yes, sir. Well, that is the impression I have now.

Q. Are you positive that Mr. Wagoner was on that ticket at all?—A. I wouldn't swear to it.

Q. Wouldn't swear to it?—A. No, sir.

Q. Don't you know how you voted on that day?—A. I voted the Republican ticket, except I scratched—

Q. I don't care who you scratched.—A. Four or five.

Q. I want to know if you know how you voted, that is all. Did you look at the Republican ticket on that day?—A. Yes, sir.

Q. You are quite certain Mr. Wagoner's name was on it?—A. No; I wouldn't swear that his name was on it. I don't remember.

Q. Wouldn't swear to it?—A. I don't remember, sir; positively, I don't remember.

Q. Do you know whether Mr. Reynold's name was on it or not?—A. I paid very little attention to that part of the ticket; I wouldn't swear.

Q. Do you know whether you voted the Republican ticket or not?—A. Yes, sir.

Q. How do you know that?—A. Because it was headed with "Republican ticket." I scratched a lot of Republicans off and put Democratic names in their place.

Q. Did you pay any attention to any you were scratching?—A. I do in city elections. In the city elections I vote for men and not for party. In the national elections I take it straight.

Q. Didn't you find out, then, in glancing over your ticket, whether Mr. Wagoner or Mr. Reynolds were on the ticket or not?—A. I expect I did at the time; I don't remember anything about it now.

Q. You are not willing to swear, then, whether Wagoner or Reynolds were on the ticket or not?—A. No, sir.

Q. How much time did you devote to the election in the Eleventh Congressional district on that day?—A. None at all.

Q. None?—A. None in the Eleventh. The only precincts I was at was where I voted on Olive street, and I was over at Manchester; I was at Chouteau and Spring avenue and Manchester and Spring avenue. Those are the only precincts I visited during the day.

Q. Now, do you know who the parties were that you charge with holding you up there?—A. I don't.

Q. You do not?—A. Never saw them before.

Q. You don't know who they were?—A. No idea who they were.

Q. Were they white or black?—A. White.

Q. All of them?—A. Yes, sir; so far as I saw. The gang that were backing them up, I think, were all white fellows; I didn't notice any black ones among them.

Q. Did these gentlemen that you—or men, or whatever you call them, that held you up—where did they come from?—A. They had been about the polls there.

Q. About the polls?—A. Yes, sir.

Q. Were they of the party you saw emerging from the Excelsior hauling stable earlier in the day?—A. No.

Q. They were not?—A. No, sir. The men I saw coming from the stable were colored men. These were white men.

Q. Did they take any valuables from you on that day?—A. No, sir.

Q. Did they attempt to take any?—A. No, sir; they only evidently wanted to see what I had written.

Q. Did they ask your—A. Guilty conscience, you know.

Q. Did they ask your politics?—A. No, sir.

Q. Did they ask if you were a detective?—A. No, sir.

Q. You don't know what their politics was?—A. No, sir.

Q. Do you not?—A. No, sir; I could surmise, but you don't want any surmising.

Q. No, sir; we are not particular for your surmise in that respect.—A. I guess you could guess, probably.

Q. I am not guessing on this occasion. I guess, if I were to guess at all, that it was a Republican trick; looks like one. Now, who are the women you speak of, that looked out of these windows and, as you say, acted as sentinels?—A. Colored women.

Q. How many of them were there?—A. Well, I guess there were three or four of them. To my mind, they were the sentinels. When I went around to the mouth of the alley one of them had her head out of the window from the inside and dodged like she had jumped back as though to give a signal or something.

Q. She jumped back as though to give a signal?—A. Yes, sir.

Q. Is that what you would imagine was her motive in jumping back?—A. Well, the way she did it, yes; it would indicate that; she seemed frustrated when she saw me, and she jumped—ran back.

Q. Isn't it likely she thought possibly you were a detective or a rent collector?—A. Possibly, yes; very likely she did.

Q. Now, the police that you accuse of treating you harshly there: Did he say or

do anything to you except to insist that you keep without a hundred feet of the polling place?—A. That is all; ordered us away from there.

Q. You know that was the rule around elections; that has been the fixed rule for years?—A. My understanding—I may be wrong, you understand—my understanding, as I told the officer, was that the law states that no one shall electioneer within 100 feet of the polls. I told him we were not electioneering and that we were not, therefore, violating the law.

Q. Isn't it a matter of fact that you were engaged practically in electioneering?—A. We were not, sir, in no sense of the word.

Q. Don't you consider that it is electioneering to stand around the polls and attempt to intimidate voters and insist upon the police arresting them?—A. We were not intimidating voters in any sense of the word.

Q. You said you walked up to the polls and pointed out a man and insisted that the officer arrest him.—A. Yes, because I had seen him in line there; he was in line the second time; I went to the officer and I said: "There is a man that has been in line before, and you know it."

Q. Was he a white or a black man?—A. Black man.

Q. Did you see him vote on either occasion?—A. I didn't see him voting; saw him only in line there.

Q. That is the only man you recollect that you saw twice?—A. That is the man—the only man I recognized; they were strangers, but that man I just happened to spy him and recognize him as a man I had seen before.

Q. Do you know anything about the men employed by the Excelsior Hauling Company?—A. No, sir.

Q. Know how many men are in the building?—A. No, sir.

Q. Know nothing of that?—A. No, sir.

Q. What Republican clubs do you belong to?—A. St. Louis Republican Club.

Q. Are you a member of the Merchants' League Club?—A. No, sir.

Q. You affiliate, then, with the St. Louis Republican Club element of the party?—A. Yes, sir; affiliate with all Republicans—good Republicans.

Q. Do you consider the Merchants' League element good Republicans?—A. Some of them are.

Q. Some of them are not?—A. Some of them I don't take much stock in.

Q. You don't believe in the Merchants' League Club?—A. I have never been to the Merchants' League Club.

Q. Isn't it a matter of fact that your club and the Merchants' League Club are considerably at loggerheads, politically?—A. Not that I know of.

Q. Haven't you heard of it during the last campaign a good deal?—A. No, sir.

Q. You belong to what is known as the Akins wing of the Republican party, do you?—A. I believe that is what they call it; yes. He is chairman of the State central committee.

Q. And your club don't believe anything good can come of the Kerens wing of the Republican party?—A. Why, I don't know that they believe such a thing.

Q. Weren't you one of the members of the club and weren't you at that time anxious to see the old city committee deprived of their powers?

(Objected to as irrelevant and immaterial.)

A. I took very little interest in that matter.

Q. You know the condition of the Republican party right prior to the last election, don't you?—A. Same as it always is; there was strife among the candidates, etc., for nomination.

Q. Do you know how many candidates there were in the Twelfth Congressional district right prior to the last election?—A. I recollect just now only three.

Q. Who were they?—A. Reynolds and Wagoner and—I don't remember the name of the other.

Q. Loffhagen?—A. Loffhagen—that is the name.

Q. They were all nominated—all three nominated by regular Republican conventions, were they not?—A. I don't know anything about the nominations.

Q. You know they were all nominated, do you not?—A. I know they were candidates. I don't know that they were all nominated.

Q. You don't know that there was quite a deal of trouble in the election commissioner's office as to who was the legal candidate of the Republican party?—A. I know there was some question of the kind raised, temporarily. It was afterwards settled amicably, I understood.

Q. Don't you know, as a matter of fact, that the election commissioners decided that none of them were legal candidates; that they had to go before the people, or, rather, present a petition to the election commissioners by electors?—A. I don't recall that.

Q. Don't you know, as a matter of fact, that after the time had elapsed for the nominations, for conventions, etc., that Mr. Loffhagen withdrew?—A. I know he withdrew.

Q. Don't you know that Mr. Reynolds also withdrew for the short term, in order to be able to doctor up some kind of a ticket?—A. I don't know the details of the affair. I know it was fixed up as those matters often are in all parties. There was a compromise made and they settled on the candidates.

Q. Don't you know there was what was known as the regular city central committee in the city of St. Louis at that time?

(Objected to as irrelevant and immaterial to any issue involved in this case.)

Q. Don't you know that?—A. I don't know anything about the city central committee.

Q. Don't you know that the State central committee expelled sixteen or eighteen of the members from the city central committee at that time?—A. Know nothing of it, only what I read in the papers.

Q. You read it, then?—A. Yes, sir; read something of the sort.

Q. Don't you know that the minority of the city central committee, which were permitted to remain by the State central committee, filled the vacancies the removal of the 16 or 18 men created in the city central committee of the Republican party?—A. There was something of the kind in the papers.

Q. Don't you know the old city central committee was what was known as a Kerens committee and the new one was usurped by the Akins faction?—A. You are asking me for inferences that a little while ago you objected to, not for what I know.

Q. I am not asking for a—A. Personally I know nothing about it.

Q. Didn't read about it?—A. I read it in the newspaper, but that is hearsay.

Q. It was general news—published—was it not?—A. If the people read the papers I suppose they must have known as much as I about it.

Q. Do you know the Republican party were harmonious in every detail on election day?—A. I never saw a party yet that didn't have differences—not different candidates.

Q. Do you think there was only the same amount of difference that was usually existing?—A. I guess there was less difference than often exists.

Q. There was less?—A. Yes, sir.

Q. Don't you think that the Merchants' League Club were quite an element in the Republican party?—A. Of course they are; all the clubs are elements.

Q. Don't you know the Merchants' League Club passed resolutions of distrust and condemnation of George D. Reynolds right before the election?

(Objected to as irrelevant and immaterial to any issue in this case.)

A. Don't know anything of the kind.

Q. Did you read of it?—A. If it was in the newspapers I may have read it. I usually read the newspapers. That is all I know—hearsay.

Q. Only hearsay?—A. Hearsay.

Q. You don't act on hearsay as a rule—don't pay much attention to it?

(Objected to as irrelevant and immaterial to any issue involved in the case.)

Mr. BUTLER. The witness has been giving so much hearsay evidence, and now I want to find out—

The WITNESS. I am taking you at your word. You want only what I know, and I am giving you only what I know.

Mr. RICHESY. You mustn't take Mr. Butler at his word.

Q. I am asking you what attention you pay to hearsay or to the papers which you read?—A. Same as others.

Q. You believe what you read in the papers, do you not?—A. Sometimes I do.

Q. Didn't you believe what you read about dissensions in the Republican party?—A. I believe I read the newspaper reports, and one newspaper reported that there was and one that there wasn't. I don't know anything about it.

Q. Did you believe that?—A. I thought it was exaggerated. I didn't believe all of it.

Q. But you did believe all that you heard and all that you read about the padding in the precincts of the Twenty-third Ward, didn't you?—A. I didn't say I believed it at all. I said I thought it was bad, and I wanted to find out.

Q. You wanted to verify it?—A. Tried to, yes. Well, I wanted to see how it worked—a practical illustration of it.

Q. But you never wanted to find out whether the dissensions in the Republican party were real or actual, did you?—A. I had no occasion to do that.

Q. Did you have any discussion at the St. Louis Republican Club as to the dissensions in the party with any person?—A. No, sir.

Q. Never did?—A. No, sir.

Q. There was no discussion of that at the club?—A. I don't recollect any; I didn't hear it; I didn't participate in any.

Q. Now, you say you called the policeman's attention to the saloons being open around in the neighborhood in violation of the law?—A. Yes, sir.

Q. Mr. Richey has raised the objection repeatedly that this wasn't at all patent to the issue, but how do you know that the law required the saloons to be closed on election day? Are you familiar with the law?—A. I have heard it so often stated.

Q. That is another—A. Well, here, the policeman admitted to me that it was against the law.

Q. Yes. Do you take the policeman as an embodiment of the law?—A. I had heard it before; there has always been a proclamation issued in accordance with the statute.

Q. Would you go to a policeman for legal advice in your business?—A. I asked him to enforce the law. He admitted what the law was; he admitted it.

Q. Don't you know, as a matter of fact, that there is nothing in the law which required saloons to be closed upon election day?—A. I don't know it, sir.

Q. Don't you know that it is only after a proclamation has been properly issued by the mayor of the city of St. Louis that it becomes effective under the law—that the saloons should be closed?—A. I don't know.

Q. Don't you know that that is the specific?—A. No; I don't know—

Q. (Continuing.) Clause in the statute that when a proclamation shall be issued by the mayor of the city, if he deems it fit and proper to so issue such proclamation, that then it shall be unlawful?—A. No, sir; I don't know it.

Q. You are not familiar with the law on that subject?—A. Not the reading of the statute.

Q. Don't you know, as a matter of fact, that the mayor of the city of St. Louis didn't issue such proclamation, and consequently the policeman could not enforce any law of that character?—A. I know there was no such proclamation issued.

Q. Isn't it true that Mr. Ballard, the police commissioner, told you they had no orders to close saloons on that day?—A. No, sir.

Q. What did he say?—A. He said it was overlooked.

Q. By whom?—A. Intimated that it was overlooked by the police board. He said "We overlooked it entirely."

Mr. RICHEY. Overlooked what?

A. Issuing orders to close the saloons on election day.

Q. Issuing orders by the police department?—A. Yes, sir; overlooked calling the policemen's attention to it. I called the policeman's attention to two saloons at the other precinct, and they closed both saloons; they closed both; on the corner of Chouteau avenue and Spring. They closed them for a while, and when I went back they were open again.

Q. Well, you say, rather you did say, that you were not in a position to swear that you saw any illegal voting on that day?—A. I wasn't in the polls, and therefore saw no ballots deposited.

Q. You say you never saw any men that you could testify appeared there more than once except that one?—A. Except that one.

Q. And you didn't see him vote?—A. I saw him in line; that is all.

Q. Didn't see him vote, though?—A. No; I told you I wasn't in the polls; I can't see from the outside.

By Mr. RICHEY:

Q. You use the name "Butler's stable," regarding the premises that you have mentioned. What is the name that those stables generally go by?—A. Well, I have always heard them referred to as Butler's stables.

Q. And it was for that reason—that is the reason you designated them as Butler's stables?—A. Yes, sir; because they were known generally as Butler's stables; generally speaking, people around there spoke of them as Butler's stables. When there was a fire everybody was speaking of it as Butler's stable that was burning. I don't know that I ever heard of it referred to as the Excelsior hauling stable.

Q. When the subject of padded registration was under discussion Butler's stables were referred to in that connection also?—A. Yes, sir.

Q. Isn't it true that on election day there was but one candidate for Congress for the short term in the Twelfth Congressional district, to wit, George C. R. Wagoner?—A. I must confess I paid no attention to that part of the ticket. As to the national end of it, I always vote the national ticket straight. I looked more carefully at the city ticket and the amendments. I couldn't say, upon my word, who I voted for for Congress; didn't pay any attention to it.

Q. Now, the dissensions you said you saw something of in the newspapers prior to the election—those were dissensions as to candidates, merely, were they not?—A. That was all.

Q. Rival candidates for the Republican party nominations?—A. Yes, sir; that is all.

Q. At the election you neither read nor heard of any dissensions in the Republican party, did you?—A. Not at all.

Q. Now, did you hear of any opposition to the Republican candidate for Congress on the part of any Republican or any Republican organization?—A. Not the least.

Q. So far as you know there was entire unanimity and harmony?—A. Yes, sir.

Q. Among the Republicans in their support of the Republican candidates for Congress?—A. So far as I know; perfect harmony.

Q. You say you scratched some Republicans on the Republican ticket and voted for Democrats. I will ask you whether or not you scratched either Mr. George C. R. Wagoner or Mr. George D. Reynolds, candidates for Congress from the Twelfth Congressional district, and inserted in their place the name of James J. Butler?—A. I did not, sir. I voted for the Republican Congressional candidate, whoever he was.

By Mr. BUTLER:

Q. You said something about padded registration at Butler's stable, as you saw fit to call it.—A. As they are generally known whenever I have heard them spoken of. I never heard them called Excelsior stables before.

Q. Who did you ever hear call them Butler's stables?—A. Oh, it was—you recollect when there was a fire over there? I heard it all along the street—"Butler's stables are burning! Butler's stables are burning!"

Q. When the fire was there?—A. Yes, sir.

Q. How large is that stable, do you know?—A. No, sir.

Q. Well, about how large?—A. Oh, it is a large stable. What do you mean—how deep? It runs from Forest Park boulevard back, I think, to an alley; has a frontage of—I never paid especial attention to it.

Q. Give us an estimate.—A. Maybe anywhere from 75 to 100 feet; along there.

Q. Seventy-five to 100 feet?—A. Maybe; I don't know; maybe 50 feet front; I don't know; I never paid any attention.

Q. You are quite positive it isn't over 75 feet front, are you?—A. I am not positive about it; I told you I didn't know about it; it may be anywhere from 50 to 100.

Q. Your attention was attracted to the stable closely by seeing the negroes emerge from there?—A. I didn't look at the size of the stable.

Q. Only looked at the size of the negroes, is that it?—A. The openings were large enough for them to go in; I wasn't looking at that point much; it was raining.

Q. It was raining and you had no umbrella?—A. What?

Q. You had no umbrella?—A. At that time I didn't. I went home from there and got an umbrella. I had an umbrella later in the day.

Q. You don't know, then, the square feet contained in the stable, do you?—A. No, sir; why should I?

Q. Well, will you say that there was less than 40,000 square feet?—A. I don't know anything about it.

Q. Is it a one-story or two-story structure?—A. Well, to the best of my remembrance I should say it was a two-story.

Q. Is it made of brick or stone, or is it a frame building?—A. It is brick.

Q. It is brick?—A. Yes, sir.

Q. Is it painted or unpainted?

(Objected to as not bearing on any point at issue.)

A. I don't know how many bricks there are in the building.

Q. I didn't ask you that—A. Well, you are getting down to details.

Q. I didn't expect you to compute such a gigantic problem as that, if you make such a mistake in the frontage.—A. Well, it is about as reasonable as asking how many square feet there are.

Q. I asked whether it was painted or not?—A. I said I didn't know.

Q. What is the color of the front? Do you know whether it is red brick or colored?—A. I should say it was red brick.

Q. How many doors to the front of the stable?—A. I don't know.

Q. What door did you see the darkies emerge from?—A. I should say it was the east door, east or next to the east, along in there; east part of the building.

Q. Who told you that the registration was padded at that stable?—A. Oh, it was talked over at the club one evening when I was there.

Q. Talked over at the club?—A. Yes, sir.

Q. Did you have a talk then at the club?—A. It was in a conversation there; there was probably 12, 15, or 20 in the room.

Q. The chief talk at the St. Louis Republican Club was not as to the dissensions in the Republican party, but as to the padding of the so-called Butler's stable?—A. Well, not Butler's stable in particular, it was in different precincts; different precincts

were referred to as being padded, and this was one of the precincts; and then it was reported in the newspapers; various reports I heard from various sources that so many men were registered from that stable; I didn't go to the registration books, nor I didn't go the stable to count them.

M. L. TURNER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. How old are you?—A. Thirty-six.

Q. Where do you live?—A. 2608 Locust.

Q. What is your business?—A. Janitor.

Q. Are you a janitor of the building at No. 2608 Locust street?—A. Yes, sir.

Q. How long have you been janitor of the building?—A. Since the 21st of May, 1891.

(Contestee objects to the introduction of this witness for the reason that proper notice has not been served upon the contestee of the taking of said witness's testimony, as required by law, notice having been received at 9.45, December 29, 1902, and the witness appearing on the morning of the 30th of December, thereby not giving contestee one full day's notice, as required by law, in which to meet the testimony of the witness, or in order to examine him properly.)

Q. I will ask you where you reside—in the same building?—A. In the same building; yes, sir.

Q. Have you resided there since 1901?—A. Yes, sir.

Q. You are now there in your eleventh year, then?—A. No, sir; not there. I took charge of the building in 1891—I mean 1901.

Q. What time in 1901?—A. I took it the 21st of May.

Q. Have you been there continuously since then?—A. Yes, sir.

Q. Living there?—A. Yes, sir.

Q. Do you know the people who reside at that number?—A. Yes, sir; know every gentleman that has been there, at least since that time.

Q. I will ask whether Samuel Jones lived at No. 2608 Locust street in October or November of the present year?—A. No, sir.

Q. Did C. M. Haffton?—A. No, sir.

Q. Did P. J. Fisher?—A. No, sir.

Q. Did Thomas Flannelly?—A. No, sir.

Q. Did William Flannelly?—A. No, sir.

Q. Did Richard D. Dawson?—A. No, sir.

Q. Did John F. Cooney?—A. No, sir; not John F.

Q. Did O. H. Borden?—A. No, sir.

Q. You say John F. Cooney did not?—A. No, sir; that is not his name. Should be J. C. They have it wrong. He used to room there. John F. Cooney never roomed there.

Q. Who did you say lived there?—A. J. C.

Q. Did he live there in October and November of the present year?—A. No, sir; there has never been a John F. Cooney there since the building was built.

Q. You say Cooney wasn't there during the latter part of this year?—A. No, sir.

Q. Not in October or November of this year?—A. No, sir.

Q. Did O. H. Borden live there in October or November of this year?—A. No, sir.

Q. Did George F. Stout?—A. No, sir.

Q. L. L. Stephen?—A. No, sir.

Q. A. M. Sherer?—A. No, sir.

Q. L. C. Schmidt?—A. No, sir.

Q. E. T. Ponder?—A. No, sir.

Q. D. H. Maeklen? W. E. Mitchell?—A. No, sir.

Q. None of the 16 men whose names I have given you resided at No. 2608 Locust street at any time in the month of October or November, 1902?—A. No, sir.

Q. That is right, is it?—A. That is correct.

Cross-examination by Mr. BUTLER:

Q. Did Samuel Jones ever live there?—A. Not according to the books.

Q. What?—A. Not according to the books.

Q. Not according to what books?—A. To the register.

Q. The register?—A. Yes, sir; they were registered there.

Q. What kind of a building is that, in the first place?—A. Bachelors' quarters.

Q. It is a building used upstairs for offices, principally?—A. It is downstairs.

Q. Upstairs, too, isn't it?—A. No, sir.

Q. Isn't some of the second floor also used for doctors' offices?—A. No, sir.

Q. Nobody living in the doctors' offices at all?—A. No, sir; only Dr. Robinson lives there.

Q. Which Robinson?—A. W. M.

Q. Any of their servants live there?—A. No, sir.

Q. Sure about that, are you?—A. I carry all the keys.

Q. Did C. M. Hafton ever live there?—A. No, sir.

Q. Don't know him?—A. No, sir; never seen him in my life.

Q. Do you know P. J. Fisher?—A. Yes; I know him.

Q. Did he ever live there?—A. Yes, sir.

Q. How long ago?—A. Left there in June, 1901.

Q. Thomas Flannelly?—A. Yes, sir; he used to live there; left before I took charge.

Q. William Flannelly?—A. Both used to live there; two brothers.

Q. Richard Dawson?—A. Yes, sir.

Q. Did he live there?—A. Yes, sir.

Q. John F. Cooney?—A. No, sir.

Q. Did any Cooney live there?—A. J. C. Cooney.

Q. O. H. Borden?—A. Yes, sir.

Q. Did he live there?—A. Yes, sir.

Q. G. F. Stout—did he live there?—A. Yes, sir.

Q. L. L. Stephen—did he live there? Did any Stephen ever live there?—A. Yes; only stayed a week.

Mr. RICHNEY. When?

A. Left there last September a year ago.

Q. A. W. Sherer?—A. Yes; left last March.

Q. H. C. Schmidt?—A. No, sir.

Q. Did he ever live there?—A. His name was never on the book, if he did.

Q. E. F. Ponder?—A. Used to live there.

Q. D. H. Maelden?—A. No, sir; I never saw the name on the books.

Q. Never saw the name on the books?—A. No, sir.

Q. Do you remember every name on the books?—A. Yes, sir.

Q. W. A. Mitchell?—A. How is that?

Q. W. A. Mitchell.—A. There was a Mitchell used to be janitor there; that is W. E. Mitchell.

Q. What is your business there?—A. Janitor.

Q. How long have you been janitor there?—A. I will soon be there two years.

Q. Do you collect the rents?—A. Yes, sir.

Q. Of all the rooms?—A. Yes, sir.

Q. Who do you pay the rent to?—A. Mr. C. Michael, the proprietor.

Q. Where does he reside—where is his office?—A. Office at 15 North Broadway; resides in North St. Louis; I don't know the number.

Q. No. 15 North Broadway?—A. Yes, sir.

Q. What is his business?—A. Barber.

Q. You have absolute charge of that building?—A. Yes, sir.

Q. Did anybody ever come to you in reference to these names to find if they did live there?—A. Mr. Sharp came there about a week before the election.

Q. Who is Sharp?—A. I don't know; a crippled gentleman; hangs around the Cobweb saloon; probably you know him. He came there and wanted a list of the names, so I got the register and gave him a list of every name that was in the house.

Q. Gave him a list of every name in the house?—A. Yes, sir.

Q. You don't know who Sharp was?—A. No, sir; I don't know his other name. We all call him Sharp.

Q. Anybody with him?—A. No, sir; by himself.

Q. Did any other person ever come around?

Mr. RICHNEY. Sharp was the Democratic clerk in that precinct.

Q. Did any other person come around?—A. One man; we call him Hiney. Another man; he came after that.

Q. What did he ask for?—A. Wanted to get names.

Q. Did you give them to him?—A. Yes, sir.

Q. Same list?—A. Same names; yes, sir.

Q. Who is "Hiney;" do you know?—A. I don't know him only by sight. I would know him if I saw him.

Q. Was his name Voellnecker?—A. May have been; we call him Hiney.

Q. Don't know his name?—A. No, sir.

Q. Do you know Voellnecker?—A. No, sir; wouldn't know him by that name. I might know him by sight; I know his face.

PETER REBSCHER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Where do you live?—A. No. 2147 Adams.

Q. What precinct and ward?—A. Fifth precinct, Fourteenth Ward.

Q. What is your business?—A. Painter.

Q. How long have you lived in that precinct?—A. About three years.

Q. How long have you lived in the Fourteenth Ward?—A. About seventeen years.

Q. Are you well acquainted with the fifth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. Do you know Peter A. H. Jensen?—A. Yes, sir.

Q. Registered from No. 2118 Adams street as a voter?—A. Yes, sir.

Q. Did he live at that number in the months of October and November of this year?—A. No, sir.

Q. Do you know Ralph Bell, George Bell, George Fehl, registered from 2132 Adams street?—A. I know the first names—Bell.

Q. Ralph and George Bell?—A. Yes, sir.

Q. Did they live at that number in the months of October and November of this year?—A. No, sir.

Q. Do you know Charles Klein, registered from No. 2134 Clark avenue?—A. Yes, sir.

Q. Did he live in that property in the month of October or the month of November of the present year?—A. No, sir.

Q. Do you know George Fehl?—A. No, sir.

Q. Were you in the precinct on election day?—A. I was, in the morning.

Q. Did you see any repeating during the day?—A. No, sir; as long as I was in the polls.

Q. Did you see any repeating in that ward during the day?—A. Yes, sir.

Q. Where?—A. I seen some colored men in precinct 6.

Q. Of the Fourteenth Ward?—A. Of the Fourteenth Ward; they went in; the challenger told me that they all voted.

Q. Did you see them go into the polling place?—A. Yes, sir.

Q. How many did you see of them?—A. About fifteen.

Q. Fifteen? Where had you seen them before, or where did you see them afterwards on that day?—A. I seen three of them afterwards in precinct 2.

Q. Of the same ward?—A. Of the same ward; voting, three of them.

Q. Did you see the balance of them about the polling place?—A. Yes; they were down at the corner of Fifteenth and Walnut streets.

Q. In line at the polls?—A. No, sir; they were in groups, standing together; seemed like they were already up; these three must have been the last three; one of them must have been named Smith, because one of the judges states, "That is all right, Mr. Smith," as he went out.

Q. Did you see other gangs in the ward on election day?—A. Yes, sir; I seen about noon about fifty of them.

Q. Were they colored or white?—A. White.

Q. Where were they?—A. Twenty-second—between Twenty-second and Clark.

Q. Where were the polls?—A. One polling place was about 50 feet east of Twenty-second, on Clark; the other one was about 75 or 100 feet away, east of Twenty-third and Clark.

Q. Near which polling place were they?—A. There was some of them lined up—here was a bunch of them lined up in the fifth precinct.

Q. Well, before the polling place at No. 2143 Clark avenue?—A. Yes, sir.

Q. How many of them were lined up there?—A. About 15 or 20.

Q. By "lined up" you mean standing in a row awaiting their turn to go into the polling place?—A. Yes, sir.

Q. Where did you see that gang again?—A. The white men I didn't see; I saw them afterwards, about 2 o'clock, again at the same polling place; they seemed to be there from 12 to 2, pretty near.

Q. They were still lined up—any of them still lined up?—A. There was about 10 or 12 lined up at about half past 2, as the central committeeman stopped in front of the polling place in a buggy.

Q. How long had it been since you had seen them lined up before?—A. About an hour before.

Q. Did you see them later in the day?—A. I seen some of them at No. 2700 Manchester avenue, in the tenth precinct.

Q. Same ward?—A. Same ward; yes, sir.

Q. When did you see them there? How many of them?—A. It was about half past 2, I should judge.

Q. How many of them did you see there?—A. About 20, I think.

Q. They were lined up there?—A. Lined up; yes, sir.

Q. Before the polling place?—A. Before the polling place.

Q. What precinct did you say that was?—A. Tenth precinct, Fourteenth Ward.

Q. You saw them lined up at the polling place, No. 2730 Manchester avenue?—A. Yes, sir.

Q. How many of them do you think were lined up before that polling place?—A. About fifteen or twenty.

Q. Did you see any of that gang again?—A. I didn't see any only what I stated.

Q. Were you at the premises where a revolver was displayed and threats made against the Republican watcher of the Fourteenth Ward on election day?—A. Yes, sir; at Koonz's saloon, Third and Clark avenue.

Q. What time of day was that?—A. At noon.

Q. Tell what took place there?—A. The watcher came and asked—

Q. Republican?—A. The Republican watcher came in and asked the Republican challenger of the sixth precinct why he left all those colored men vote. He suggested that some of them went in the second time and he allowed them to vote. The challenger said he couldn't help, as the names were all on the books; he didn't know any of them.

By Mr. BUTLER:

Q. Did you hear all this yourself?—A. Yes, sir.

Mr. RICHIEY. Go on.

A. (Continuing.) And as he made the statement that he couldn't help himself, a man that is known by the name of McCann came in with a gun; it was a gun about this long. Pretty good-sized one.

Q. A large revolver?—A. Pretty large revolver; he had it in his hand holding it up and he just passed me. I didn't know what it was; he held it up to this man's face.

Q. To the face of the Republican watcher?—A. Yes, sir.

Q. Well?—A. He told him that he wanted that blue pin; besides that, he wanted him to get out of the neighborhood as soon as possible, and if he don't go he will kill him. There was about four or five fellows back of him, coming in—some of the fellows that hang around the saloons in the neighborhood.

Q. Came in with this man with a gun?—A. With a gun; yes, sir.

Q. Did you see anything to indicate what his politics were—the man with the gun?—A. The man with the gun had a Jefferson Club button on.

Q. A Jefferson Club button?—A. Yes, sir; and he told him if he didn't get out of the neighborhood he would kill him. He was trying to search him for some blue button, I believe he was telling him.

Q. Well?—A. He said if he don't get out of the neighborhood he would kill him. Then the Republican challenger told him that he shouldn't do anything of the kind, and he stepped in between them.

Q. Then what happened?—A. Well, I seen that the Republican challenger wouldn't allow them to shoot, at least he stood between the two, and I walked out of the saloon and went down and informed the other Republican challenger below to watch out for themselves. As I walked—

Q. What did you mean by that—watch out for themselves?—A. Because those people were using guns.

Q. What people?—A. What we call the Indians.

Q. Indians?—A. Yes, sir.

Q. What politics were the Indians, if you know?—A. I only know them to be Democrats.

Q. You told the other Republican watchers what?—A. To watch out for themselves, because they were liable to get hurt.

Q. Get hurt by whom?—A. By the Democratic Indians.

Q. Go on. What did you do next?—A. I went into the drug store to inform our central committeeman of the circumstances—how it stood—and he wasn't at home. At least, the answer came back over the 'phone that he wasn't there then.

Q. Your central committeeman was Mr. Kramer?—A. Yes, sir. I came out of the drug store and started from the—at least a colored gentleman named Harris called me. He was down between Clark avenue and Adams street on Twenty-second, and he called me and I went toward him. I went down halfway and I heard a loud noise, and I turned around and I saw about 50 white fellows was after this—

Q. In this same gang you have spoken of before?—A. No, sir; this was a different gang. These was all strangers.

Q. All strangers?—A. All strangers to me except one. They ran after him.

Q. After who?—A. This Republican watcher.

Q. Yes.—A. Then when the Republican watcher ran down toward Adams street those strangers, which I looked at as Indians, were after him.

Q. After the Republican watcher?—A. Yes, sir.

Q. They were running?—A. They were running; yes, sir.

Q. Was the Republican watcher running?—A. Yes, sir; on Clark—

Q. Fifty of the Democratic Indians after one Republican watcher?—A. Yes, sir.

Q. All on a run?—A. All on a run.

Q. Go on.—A. He called me and wanted to keep on running, and I told him not to; it would be dangerous; just to come over there and I would see that he would be protected if it cost me—

Q. If you got into trouble?—A. Yes, sir. He came and stood alongside of me, and a man named Payton, who keeps a saloon at Twenty-first and Market, came down and wanted him to go back and apologize to the whole crowd; that he had spit in their faces.

Q. That the challenger had spit in the faces—A. This watcher.

Q. The watcher, I mean, had spit in the faces of a gang of fifty?—A. Yes, sir.

Q. Payton wanted him to apologize for it—he told the man so?—A. The watcher said he never done a thing; just stood on the corner and didn't hurt nobody. He didn't want to go up, so he caught him by the coat.

Q. Who caught him by the coat?—A. Payton—wanted him to go up.

Q. Do you know Payton's politics?—A. Supposed to be a Democratic worker.

Q. Go on—he caught the challenger by the coat.—A. Wanted to take him up to the crowd.

Q. What crowd; the gang?—A. This gang; and I caught him by the other coat and pulled him away, and told him he should let him alone. The watcher was a friend of mine and I invited him to dinner.

Q. This is the way you got the watcher away?—A. Yes, sir; some of those—when they were hitting this watcher on Twenty-second and Clark his hat flew off. He stated it was a brand-new hat. Finally, a little boy about fifteen or sixteen years old brought him an old hat worth 25 cents. He didn't know what to do first about his hat. I told him he had better save his life than his hat.

Q. Was life safe in the Fourteenth Ward?

(Objected to.)

Mr. BUTLER. I never heard such a ridiculous question as that.

Q. On election day of this year?—A. It wasn't safe between Twenty-second and Twenty-third on Clark avenue.

Q. Why wasn't it safe?—A. Because they terrorized, you might say, the neighborhood.

Q. Who terrorized the neighborhood?—A. These Indians, as we called them.

Q. Did you see any of those strangers vote?—A. I didn't see them vote; only lined up at the polling place.

Q. Do you know whether or not they lived in the precinct where they were lined up before the voting place?—A. As I stated, those fifty—I didn't know any of them except this one that lives, or is supposed to live, at Twenty-first and Market streets.

Q. Is that in that district, in that precinct?—A. In the fourth precinct.

Q. But not in the fifth?—A. No, sir.

Q. Where was he lined up?—A. He wasn't lined up; he stood on the corner and walked up and down.

Cross-examination by Mr. BUTLER:

Q. What is your name?—A. Peter Retscher.

Q. Where do you reside?—A. 2147 Adams street.

Q. 2147 Adams street?—A. Yes, sir.

Q. What is your business?—A. Painter.

Q. Painter?—A. Yes, sir.

Q. Master painter or journeyman painter?—A. Journeyman painter.

Q. For whom do you work?—A. Pullman Car Company.

Q. Do you work for them now?—A. Yes, sir.

Q. How long have you worked for the Pullman Car Company?—A. About seven years, off and on.

Q. Seven years, off and on?—A. Yes, sir.

Q. How long have you last worked with them?—A. Three years and three months.

Q. Were you working for the Pullman Car Company on election day, or thereabouts?—A. Not on that day.

Q. Worked the day before?—A. Yes, sir.

- Q. Did you work the day after?—A. Yes, sir.
- Q. Didn't work on election day?—A. No, sir.
- Q. Where were you located on election day?—A. I was at precinct No. 5 in the morning.
- Q. Precinct No. 5 in the morning?—A. Yes, sir.
- Q. Where else during the day?—A. During the day I was all over the ward.
- Q. All around the ward?—A. Yes, sir.
- Q. Precinct No. 5 is the precinct in which you live, is it?—A. Yes, sir.
- Q. Where was the polling place at that precinct?—A. At a barber shop, east of Twenty-second, on Clark. I don't know the number.
- Q. East of Twenty-second, on Clark?—A. Yes, sir.
- Q. That is in the vicinity of the coal yards there, is it?—A. No coal yard there.
- Q. Where are the coal yards there, Twentieth and Twenty-first?—A. There is a coal yard west of Twenty-second.
- Q. West of Twenty-second? Isn't there a coal yard on Twentieth and Clark avenue?—A. Twentieth?
- Q. Yes.—A. There is a coal yard there, I believe, too, across on the south side.
- Q. That is where the coal cars dump their load?—A. On the south side.
- Q. That is in the vicinity of the packing houses—Swift's?—A. That is east of Twentieth.
- Q. Armour's?—A. East of Twenty-first.
- Q. It is on Twenty-first, there—on Twenty-first—most of them, are they not?—A. Yes, sir.
- Q. That is in the vicinity of the polling place there, isn't it?—A. Well, it is about a block away.
- Q. Are the packing houses in your precinct?—A. Yes, sir.
- Q. How many voters are in the precinct?—A. About 300.
- Q. How many votes were cast there on election day?—A. I couldn't tell.
- Q. Haven't you any idea?—A. No, sir.
- Q. Now, you said a moment ago that you saw at several different times gangs of Indians around the polling place?—A. Yes, sir; in the fifth precinct.
- Q. Which? It was in precinct 5?—A. Yes, sir.
- Q. Lined up to vote?—A. Yes, sir.
- Q. How many in each of those gangs?—A. Fifteen. At one time there was 15 or 20; at the second time about 10 or 12.
- Q. Didn't you state a moment ago there was 50?—A. They were not all lined up.
- Q. How many of those you saw lined up voted?—A. I can't say. I wasn't inside.
- Q. Did you see any of them vote?—A. No, sir.
- Q. Don't know how many were rejected, or how many voted, or how many got inside at all?—A. I couldn't tell that.
- Q. Do you know whether they were legal voters or not?—A. I could tell they were not living in the neighborhood.
- Q. They were not living in what neighborhood?—A. In the fifth precinct.
- Q. How large is the fifth precinct?—A. Two blocks on Eugenia, one block on Twentieth street, four blocks on Twenty-second street.
- Q. And do you know all the men?—A. The railroad yards comes at the other end.
- Q. You know all the men who live in that neighborhood who are entitled to vote, do you?—A. Know pretty nearly all by sight.
- Q. And you are positive that you did not know any of these men by sight that were voting?—A. Not that time.
- Q. Will you swear that you know every man who is entitled to vote in that precinct of the Fourteenth Ward by sight?—A. No, sir.
- Q. You won't swear that?—A. No, sir.
- Q. How many do you know by sight now of the 300 registered there?—A. A couple of hundred.
- Q. Know a couple of hundred by sight?—A. Yes, sir.
- Q. You are willing to swear to that?—A. Yes, sir.
- Q. Do you know where they live?—A. About.
- Q. Now, how many did you see around the polling place on that day that you did know by sight?—A. Didn't see very many; about 50.
- Q. Only 50?—A. About that. I wasn't there all day.
- Q. Then you believe there was only 50 men in the polls that voted on that day that were entitled to vote; is that it?—A. No, sir; I don't.
- Q. You don't say that?—A. At the time I wasn't there I can't say who voted.
- Q. You have only named one man that you knew there, and that was this man Payton. Do you know him by sight? Do you know him personally?—A. I know him to some extent personally.

Q. To some extent personally? Where does he live?—A. Supposed to live at Twenty-first and Market.

Q. Supposed to live there?—A. He keeps a saloon there.

Q. That is a large building, isn't it?—A. Yes, sir.

Q. How many other men live in that house, do you know?—A. I can't say; it is in the other precinct.

Q. Don't know that?—A. No, sir.

Q. Is it in that precinct?—A. Fourth precinct.

Q. Do you know, then, just up to that line of Market street, and don't anything cross the line? Is that it?—A. Oh, yes; I know across the line. I used to live in the fourth precinct.

Q. Who is Payton?—A. A saloon keeper.

Q. Where does he keep his saloon?—A. Twenty-first and Market.

Q. Twenty-first and Market?—A. Yes, sir.

Q. He is a partner of James Cronin, is he not, in that saloon?—A. I don't know any Cronin that is interested. I know Manning, I believe, is the other party's name.

Q. Don't you know that is Cronin's saloon? That he is interested with him? Cronin was a candidate at that election, was he not?—A. Yes, sir.

Q. For what?—A. Justice of the peace.

Q. Peter A. Jensen. You say you don't know that name?—A. I know him.

Q. You say he doesn't live at 2118 Adams street?—A. I say he don't live there.

Q. Did he ever live there?—A. Yes, sir.

Q. How long ago?—A. At 2118?

Q. How long ago did he live there?—A. About four or five months ago.

Q. Did you know Ralph Bell?—A. I know him by sight; yes, sir.

Q. You say he doesn't live at 2132 Adams street?—A. No, sir.

Q. Did he ever live there?—A. Yes, sir.

Q. How long ago?—A. About two years ago.

Q. Do you know George Bell?—A. Yes, sir; by sight.

Q. Does he live at 2132 Adams street?—A. Yes, sir.

Q. George Fehl?—A. I don't know him. Only I think that he lived at that place.

Q. You say you only think he lived with the Bells?—A. Yes, sir.

Q. Charles Klein, 2134 Clark avenue. Do you know him?—A. Yes, sir; by sight.

Q. Does he live there?—A. No, sir.

Q. Did he ever live there?—A. Yes, sir.

Q. Do you know what the politics of those gentlemen was?—A. To some extent; yes, sir.

Q. What was it?—A. Mr. Jensen was a public ownership man.

Q. Yes.—A. Klein was a Republican.

Q. Yes.—A. The Bells; I can't say what their politics was.

Q. What was Fehl? You know him, you say?—A. No, sir; not particular.

Q. Don't you know they were Republicans, and very pronounced Republicans?—A. No, sir; I don't.

Q. Now, you say life was not safe in the vicinity of Twenty-second and Clark avenue on that occasion?—A. At some hours; no, sir.

Q. What is your reason for saying that life was not safe at that time? Was there anybody killed there?—A. Well, that one man had a gun leveled at one of the watchers. The other watcher told me that one of the other fellows had a gun also pointed at him.

Q. There was no shots fired?—A. Not while I was there.

Q. Nobody injured?—A. Not while I was there.

Q. Nobody hurt?—A. Not while I was there.

Q. You don't know whether the guns were loaded or not?—A. I don't know.

Q. Aside from that you know of no reason for saying that life was not safe in that neighborhood, except, possibly, the fact of the transit cars passing there; isn't that true?—A. Well, I had enough experience with this class of people, that they are liable to kill me. I was afraid that I would be killed that day.

Q. You were not killed?—A. I watched out for number one.

Q. Haven't been killed since?—A. No, sir; I watched out.

Q. You were not afraid, were you?—A. I was afraid to some extent; yes, to go in that crowd and be killed.

Q. It didn't keep you from staying around the polls all day, did it?—A. Certain people said that they would kill me that day.

Q. Do you know Sigmund Kramer?—A. Yes, sir.

Q. What is his business?—A. Hotel keeper.

Q. What political position does he hold with regard to the Republican party?—A. Central committeeman.

Q. Of the Fourteenth Ward?—A. Yes, sir.

Q. Did you have any conversation with him on that day?—A. Yes, sir.

Q. What was the conversation you had with him on that day?—A. I can't say exactly; arguments between ourselves.

Q. Between yourselves?—A. Yes, sir.

Q. Did you tell Kramer that you had been forced out of any polls?—A. I told that the majority of the judges voted for me to go out, and I went out. I wasn't forced.

Q. Did you tell Kramer at any time during that day that John R. Butler forced you out of the polls?—A. No, sir.

Q. You did not?—A. No, sir.

Q. If Mr. Kramer testified to that on yesterday, he testified to what was not true. Isn't that a fact?—A. If he said that John R. Butler forced me out he certainly made a mistake. John R. Butler was present when I was forced out in the evening.

Q. He didn't force you out?—A. No, sir; the man with him did. The gentleman with him did.

Q. Who was that gentleman?—A. Robert Carroll.

Q. He was a candidate at that election, was he not?—A. Yes, sir.

Q. John R. Butler did nothing there in the matter, did he?—A. He was speaking to the Republican clerk.

Q. The Republican clerk didn't force you out, did he?—A. No, sir.

At this point a recess was taken until 2 o'clock p. m.

Contestant's Exhibit No. 8, Part 6.—A. R. Russell, notary public.

2 O'CLOCK P. M.

JOSEPH L. SCHULER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. State your name in full.—A. Joseph L. Schuler.

Q. Where do you live?—A. 1030 Clark avenue.

Q. You were central committeeman for the Republican party of the Fifth Ward at the time of the election on November 4 last?—A. Yes, sir.

Q. How long have you lived in the city of St. Louis?—A. Twenty-five—twenty-six years.

Q. How long have you lived in the Fifth Ward?—A. Twenty-six years, except about eighteen months.

Q. You are familiar with that territory and the buildings in it?—A. Yes, sir.

Q. I will ask you what inquiry you made, if any, and when you made it, into the registration of the Fifth Ward?—A. Well, I went around to several places where so many voters were registered from, and tried to find out—went around to the different hotels and where the registration was so heavy, to find out if they were registered from there. I couldn't find out anything very definite as to who they were, or any more information.

Q. In the first precinct of the Fifth Ward, do you remember any place that you went to?—A. No; only Evans's, I believe.

Q. Where is that—on what street?—A. On Second street.

Q. Second street—do you know the number?—A. I don't know what the number is, 200 something South Second street; 208, I think.

Q. Do you know how many people were registered from there?—A. I don't remember.

Q. What sort of premises is it?—A. A lodging house—rooming house.

Q. What investigation did you make?—A. I asked them if these people lived there.

Q. What was the answer?—A. They answered "yes."

Q. In conducting that examination did you give them the names first, or did you ask them to give you the names?—A. I just asked if—I read them the names and asked if they lived there, and they said "yes."

Q. Do you know whether they were telling you the truth?—A. I couldn't say.

Q. You had no means of ascertaining that?—A. No, sir.

Q. At 212 South Second street there are 16 people appear on the list as registered voters; did you investigate that?—A. No.

Q. Do you know who occupies that place?—A. I do not.

Q. Did you go to any other place?—A. No, sir; not in the first precinct.

Q. In the second precinct, did you make an investigation?—A. My people told me the second precinct was all pretty straight, so I did not go there at all.

Q. In the third precinct?—A. The third precinct?

Q. Yes, sir.—A. Well, I went and called at one or two places over on Park avenue. I could not make anything there. The Erie House, I went there, but I couldn't get any satisfaction.

Q. What house was that?—A. Erie House.

Q. Where is that?—A. Fourth and Clark, northeast corner, or—yes, I think the northeast corner.

Q. Did you go to 220 South Fourth street, where there are 54 registered, as shown by the list?—A. No, sir.

Q. You went only to the Erie House?—A. Yes, sir.

Q. What did you find there?—A. Well, I didn't find anything, but the clerk told me that these people lived there; couldn't get anything out of them.

Q. What did you try to get out of them?—A. I just asked several clerks, and tried to get information from different parties; I couldn't get anything.

Q. What did they say? Did they say that these people did not live there?—A. Well, they—some of them, they didn't know whether they did or not; couldn't find out the real facts; couldn't find out much where they were or which they were.

Q. Did you pursue the same method here of reading the names and asking whether these names you read, whether the people lived there?—A. I asked the same question.

Q. Did you try any of these places to find out who lived there by asking them to tell you who lived there?—A. I did try; yes, sir; but I couldn't get any information.

Q. Did you try that at each one of these places?—A. Yes, sir.

Q. What did they say when you asked them that question?

(Objected to "this place" as indefinite. Does the witness know what place?)

Mr. RICHNEY. If he does not he will say so. Let him answer. We do not need you to help him out.

The WITNESS. In places they told me to go and look at the register where they have books, and would not give me any information. At this South House they told me—the clerk told me there is 17 or 18 voters at that place.

Q. What place is that?—A. The South House.

Q. Where is that?—A. Fourth—Fifth and Clark.

Q. In what precinct is that?—A. Fifth precinct—fourth precinct, rather.

Q. Do you know what number that is?—A. 221, I think, South Broadway.

Q. Now, the list of registered voters for that number shows that there were 85 persons registered there as voters. Now, what was it the clerk said to you?—A. That there were about eighteen or twenty regular roomers there.

Q. When was it he told you that?—A. Just before election.

Q. About how long before?—A. I suppose about a week before.

Q. Did you tell him 85 persons were registered from there, and present the list of names and ask him if they lived there?—A. Yes, sir.

Q. What did he say?—A. He said they were not all there; a good many had gone away.

Q. Well, now, where else did you get information of that kind? Any other place in that precinct?—A. No; not in that precinct.

Q. In what precinct?—A. Except Rillings Hotel.

Q. What is the number of that?—A. I don't know.

Q. 620-622 Walnut street?—A. Yes, sir.

Q. There are, according to the list, 62 persons registered as living at that number at this place—620 and 622. What investigation did you make there to find out how many were living there?—A. I went there to find out. I couldn't find out anything.

Q. State what happened there.—A. They told me to look at the register.

Q. Now, did you look at the register?—A. I did.

Q. What did the register show?—A. I don't know; I couldn't make out anything.

Q. Did it show that this list—these 62 persons were stopping at that hotel?—A. I couldn't find anything one way or the other; there were a lot of gentlemen and ladies there and I couldn't say whether they were voters.

Q. Did you examine the register to see if the names that were on the official registration books or sheets appeared on the register of the hotel or the rooming house?—A. I looked over the list, but found very few on the book.

Q. Out of the 62 that appeared to be registered from the official registration list about how many of these names did you find on the register of the hotel?—A. I don't remember how many there were there now.

Q. Well, approximately, about?—A. I think about twelve or fifteen.

Q. Twelve or fifteen that were down?—A. Yes, sir.

Q. Well, now, do you know what building occupies 622 Walnut street?—A. I guess that is the Standard Theater.

Q. Do you know how many stories there are in that theater?—A. I never was up on top; I don't remember.

Q. Do you know what it is used for?—A. Used as a theater.

Q. What is the basement used for, if you know?—A. Well, used for billiard rooms and saloon.

Q. It is used for billiard rooms and saloon?—A. Yes, sir.

Q. Now, there are 27 names on the official registration list that live at that number. What do you know about that?—A. I could not say; I did not investigate that at all.

Q. Do you know the premises 119 Seventh street?—A. 119 South Seventh?

Q. Yes, sir.—A. No, sir.

Q. Do you know 108?—A. No.

Q. Do you know premises 116 South Sixth street?—A. I did not investigate that.

Q. Did you investigate No. 20 South Eighth, where 64 names appear on the registration list?—A. I was there once, but I couldn't find anything.

Q. Couldn't what?—A. Could not find anything.

Q. Tell us what you did find out.—A. I asked the proprietor to tell me if they were there; he said they were.

Q. The 64 of them?—A. That is what he said.

Q. Did you ask him to tell you who were there without giving—without yourself giving him the names?—A. No, sir.

Q. You just read off the list and he said they were all there?—A. Yes, sir.

Q. What sort of a house was that?—A. A cheap lodging house.

Q. How many stories high?—A. I think three.

Q. What was the first floor used for?—A. A kind of Chinaman's shop.

Q. Then the 64 people would have to be divided between the second and third floors?—A. I guess they would.

Q. Would these floors accommodate 64 permanent lodgers?—A. I was not upstairs; I couldn't say how they were fixed.

Q. Could you tell anything about whether they were large enough to accommodate that number of people, judging by the exterior of the house?—A. I don't know if they would.

Q. You don't know? How many feet front is that?—A. Twenty-five feet.

Q. How deep?—A. I couldn't say.

Q. Approximately?—A. I really don't know; I couldn't say; I never paid any attention to it.

Q. Now, in the fifth precinct of the Fifth Ward did you carry on any investigation there?—A. Well, only at 501 South Broadway.

Q. Only at 501 South Broadway?—A. Yes, sir.

Q. Tell us what you found there?—A. Didn't go into the house, but I asked them about the people there; told them I thought they had too many registered there, and they laughed at me and said they could put in 100.

Q. What did he mean, 100 ballots in the ballot box or in those rooms?—A. One hundred in his rooms, I guess.

Q. Did he say which he meant?—A. Said he could get a hundred in his rooms, in his place.

Q. Do you know that of the 657 names that appear on the official list of registered voters in that precinct there were more than one-fifth of the whole number registered from five houses?—A. Yes, sir; I know that; yes, sir.

Q. Are you acquainted with premises 401 South Broadway?—A. 401? Yes, sir.

Q. What is conducted there?—A. Why, there seems to be a rooming house.

Q. Do you know how large it is?—A. It is a pretty good-sized rooming house, saloon underneath.

Q. There is a saloon on the first floor?—A. Yes, sir.

Q. How many stories is it altogether?—A. Three stories.

Q. How much frontage has the premises?—A. About 30 feet.

Q. Do you know about how deep?—A. Well, 150 feet.

Q. Is it improved all the way back; all one building?—A. Very nearly; all but 10 or 15 feet.

Q. You think there is room enough for 36 regular inhabitants in that place?—A. I thought there would be; yes, sir.

Q. Did you carry on any investigation in the sixth precinct of the Fifth Ward?—A. No, sir.

Q. Do you know the premises 1000 Market street?—A. I don't know anything about that.

Q. Do you know the premises 815 Walnut?—A. Good many roomers in there; I know the lady that runs the house.

Q. What is her name?—A. I forget her name; I know her pretty well.

Q. Is there any way by which you could refresh your memory so as to say what her name is?—A. I can't think of it right now; I have known her for years.

Q. Did you carry on any investigation at 811 Market street, where 45 persons were registered from the one house?—A. I was not in that house; I was in the house next door.

Q. What is the house next door, 813? Thirty-seven persons registered from there, what is the size of that house?—A. Small rooms; about five or six rooms.

Q. About six rooms?—A. I think so.

Q. How many stories?—A. I believe only two stories.

Q. What is the first occupied by?—A. I think a saloon.

Q. And then the 37 registered voters would have to live in six rooms on the second floor if they occupied the second floor?—A. Yes, sir.

Q. Do you know the size, the number of stories of the building 811 Market street?—A. No, sir; I don't remember; I think it has three stories.

Q. Premises 1013 Market, where 25 voters were registered, do you know anything about that?—A. Don't know anything about that; no, sir.

Q. Do you know the premises 5 North Ninth street?—A. Yes, sir; that is a boarding house or rooming house. There are a good many rooms there.

Q. Enough rooms there to afford accommodation for 33 people?—A. Yes, sir.

Q. Did you look into the registration in the eighth precinct of the Fifth Ward?—A. No, sir; that is pretty straight; that is all right; didn't see anything there at all.

Q. Who were the clerks that revised this registration in these precincts, do you know?—A. No, sir; what precincts?

Q. For example, the fourth precinct of the Fifth Ward.—A. It was—wait a minute—Fred something; he was a clerk.

Q. How many registration days were there in the Fifth Ward wherein people, voters of the ward, could appear and register in the different precincts before the last election?—A. One day.

Q. Only one day?—A. Yes, sir.

Cross-examination by Mr. Rowe:

Q. You are a central committeeman of the Fifth Ward?—A. Yes, sir.

Q. You had a contest with Mr. Christian Shawaker for that place?—A. Yes, sir.

Q. And both of you gentlemen were quite zealous in your canvass for the position of committeeman for the ward?—A. Yes, sir.

Q. You don't know how many of the names were stricken off this list by the judges and clerks of election in the several precincts, do you?—A. I do know a great many that had been stricken off.

Q. You knew a great many of the names that were not on the printed list which were stricken off by the judges and clerks?—A. Yes, sir; some.

Q. In the different precincts?—A. Yes, sir.

Q. You don't know of any irregular or fraudulent voting that was done in any precinct, do you, on that day?—A. Not personally; I couldn't say.

Q. You were elected at the primary election for that office?—A. Yes, sir.

Q. You are aware of the fact that your opponent, Mr. Shawaker, was very industrious in securing registration of parties that he believed to be electors to vote at that primary election?—A. I don't know about that; he might have had some of these registered.

Redirect examination by Mr. RICHY:

Q. Which were made first, the registration books or the printed registration sheets?—A. The books, I guess.

Q. The printed registration sheets were made from the books, were they?—A. Yes, sir.

Q. Then when you said in answer to Mr. Rowe a moment ago that the judges struck off some of the names on the printed sheets you made a mistake, did you not?—A. I suppose they were stricken off the books before; yes, sir—before these lists were printed.

Q. The official list of registered voters issued in October, 1902, was made from the names on the books?—A. That is right.

Q. And the improper ones were stricken off?—A. That is right.

By Mr. Rowe:

Q. Don't you know it to be a fact from actual comparison that a great many names on the printed lists that were used in that ward are not in registration books in the office?—A. I couldn't say that, Mr. Rowe.

Q. You never made that comparison yourself?—A. No, sir.

Mrs. MARGARET CAMPBELL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposes and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Mrs. Margaret Campbell.

Q. You live at 2644 Olive street, do you?—A. Yes, sir.

Q. How long have you lived there?—A. Nine years.

Q. You are in business there?—A. Yes, sir.

Q. Conducting a rooming house?—A. Yes, sir.

Q. Were you conducting and have you been conducting continuously this rooming house for the entire period of nine years?—A. Yes, sir.

Q. I will ask you whether O. F. Lademan lived at your house on November 4 of this year?—A. No; he did not live there then.

Q. I will ask you whether Sam S. May lived at your house at that time?—A. No; I think he left there some time in the summer; I am not sure when.

Q. I will ask you whether another Sam May ever lived there?—A. There was never but one Sam May there.

Q. Do you know F. M. Phillips?—A. No.

Q. Did he ever live at your house?—A. I don't remember.

Q. F. M. North—do you remember him?—A. He lived there; I don't know just when he left.

Q. Has he lived there lately?—A. No, sir.

Q. Do you know how many months ago it was that he left?—A. It was some time in the fall; I can not remember how many months ago.

Q. It was several months?—A. Yes; I think so.

Q. Does M. S. Sheets live there?—A. He don't now; he did.

Q. When did he live there?—A. He went away some time in the summer or fall.

Q. More than eight weeks ago?—A. Yes, sir.

Q. He went away before that?—A. Yes, sir; I think he did.

Q. Mr. O. Whittaker; did he live there?—A. He was there also, but he left.

Q. When did he leave?—A. He went away—I don't know when he left—some time during the year; not less than eight weeks ago, I don't think.

Q. How about Mr. Fred. Brandiz?—A. He left.

Q. When?—A. I don't know how many months.

Q. Was it within the last two or three months?—A. I don't think so.

Q. Mr. James Campbell—did he live there?—A. There never was any Campbell there.

Q. Mr. Willis J. Hilber?—A. He was there, but he left inside of a few months—some time during the year.

Q. Has it been within the last two months?—A. No; I don't think so.

Cross-examination by Mr. FROMBERG:

Q. Are you married?—A. No, sir; I am a widow.

Q. Have you a family of children?—A. One daughter.

Q. How many rooms are there in that house, 2644 Olive?—A. Fourteen rooms.

Q. All occupied by tenants—roomers?—A. All occupied by gentlemen.

Q. Gentlemen roomers?—A. Yes, sir.

Q. How do you rent your rooms—by the week, or by the day, or by the month?—A. I rent them by the week or by the month; I do not rent them by the day.

Q. Is it not a fact that you have rented these rooms by the day?—A. Not that I know of.

Q. Not that you know of; but you may have?—A. No, sir; I don't remember.

Q. You don't remember having rented them by the day?—A. No, sir.

Q. You say you have lived at these premises for nine years?—A. Yes, sir.

Q. How long since your husband died?—A. I don't see that that is any of your business; my husband died twelve years ago.

Mr. FROMBERG. Please answer the questions as I ask them.

The WITNESS. I don't see that that has anything to do with it.

Q. Never mind what you see. You say Sam May had lived there?—A. He did live there at one time.

Q. How long did he reside there?—A. Just a short time.

Q. Have you no idea when he left?—A. I don't remember.

Q. Did he leave within a month or so?—A. Maybe he did.

Q. When did he first occupy a room in your house?—A. I can't remember when people come and go in as large a house as mine—just when they come and go.

Q. Will you swear that he was not residing at your house on November 4, last?—A. I couldn't swear anything about it; I don't remember.

- Q. Then you don't know whether he was there; he may have been at your house?—
A. Yes, sir; he may have.
- Q. How about Mr. O. F. Lageman?—A. I don't remember him at all.
- Q. Will you swear that he did not live at your house?—A. I could not. There are people coming and going all the time, and I can not be expected to swear to that.
- Q. You don't keep any books or any records at your house, do you?—A. No, sir.
- Q. He may have lived there?—A. Yes; he may.
- Q. Take Sam May the second; he may also have lived there?—A. I don't think so; I never had but one May there.
- Q. You don't remember two brothers of the name of May at your house?
Mr. RICHY. Two brothers named Sam May?
- Mr. FROMBERG. I didn't say that; I said two brothers named May.
- A. I only knew one.
- Q. Do you know that Sam May had a brother there?—A. No, sir; I don't know that.
- Q. You don't remember any brother of May's there?—A. No; I don't.
- Q. He may have had a brother?—A. He may have had a brother; I don't know any.
- Q. You don't know F. M. Phillips?—A. No.
- Q. You never heard of him?—A. No.
- Q. Will you swear he never lived at your house?—A. I will not swear, because I can not tell.
- Q. He may have lived at your house?—A. I don't know.
- Q. He may have lived there on or about November 4. You don't keep any record or register there, do you?—A. No.
- Q. He may have lived there at that time?—A. Yes.
- Q. How about F. M. North?—A. He did live there.
- Q. He may have lived there November 4; you will not swear he was not there at your house on November 4?—A. No, sir; I can't swear to that.
- Q. And the same applies to M. S. Sheets; he may have lived at your house about that time, for all you know. You won't swear he did not, will you?—A. I can't swear to this; no, sir. People are coming and going all the time from my house.
- Q. They come and go all the time?—A. Yes, sir.
- Q. How about Whittaker?—A. He has been gone a long time.
- Q. Will you swear he did not live there on or about eight weeks ago?—A. Eight weeks ago? Oh, of course he didn't live there eight weeks ago.
- Q. When did he leave there?—A. In a year or so.
- Q. He lived a year with you?—A. He lived there about two years.
- Q. When did he leave?—A. I couldn't tell you when he left; some time in the year.
- Q. Did he assign any reason for leaving?—A. He went to travel on the road.
- Q. Did he ask you to retain a room for him?—A. No, sir; he did not.
- Q. Is it not a fact that Mr. Whittaker would come back occasionally and stay with you?—A. Oh, he has come back once or twice, that is all.
- Q. Is it not a fact that when he came back, that he came back recently?—A. No; I don't think he called a short time ago.
- Q. He may have been there within four or five weeks. You will not swear that he did not?—A. I don't know. I have not seen him for quite a time.
- Q. You won't swear that he did not come within that time?—A. Certainly, I will swear that he was not there within four or five weeks. He has not been there for several months.
- Q. What month did he leave?—A. I couldn't tell you that to save my life.
- Q. Three months ago?—A. Over three months ago.
- Q. How is it you remember the occasion of his departure so well?—A. Because the man stayed there in my house—lived in my house for two years. You are more liable to remember a man's leaving when he has been with you so long than you would be one who came for a few weeks or months.
- Q. You swear positively, then, do you, that he did not live in your house on November 4, 1902?—A. No, sir; he did not.
- Q. How about Branditz?—A. He has been gone for quite a while.
- Q. He has not been living there for some time?—A. Quite a little while.
- Q. How long?—A. I don't know. He has not been with me for months, I know.
- Q. Will you swear on your oath, Mrs. Campbell—
Mr. RICHY. I object. I understand the witness has been sworn and all her statements are made under oath.
- Mr. FROMBERG. I want to impress the fact upon her.
- The WITNESS. This is all very embarrassing. It is the last time I will ever tell a voter anything.

MR. FROMBERG. You will pardon me if I have seemed rude; it is my duty to ask these questions. Will you swear that on or about November 4 he was not at your house?

(Objected to on the ground that she has given her sworn statement.)

A. I have sworn to it a dozen times. He did not live there then.

Q. When did he leave your house?—A. A long time ago. He was not there then.

Q. When did he leave?—A. I couldn't tell.

Q. Do you mean that he has been there and gone away?—A. Within the year.

Q. He had been gone within the year?—A. Yes, sir.

Q. Do you recall why he left the house?—A. No, sir; I do not usually ask gentlemen why they leave.

Q. Did he say anything about that?—A. He told me he was going to leave.

Q. Did he say why?—A. No; and I did not ask him.

Q. Didn't you think it strange that he should leave so suddenly?

(Objected to as wholly immaterial, and as being drawn out for the purpose of consuming time.)

Q. Let us leave this man for the present. How about Joseph Campbell?—A. There never was any James Campbell there that I know of.

Q. There may have been that you might not know of?—A. Yes, sir.

Q. You kept no record or registry in your house, and this man, James Campbell, might have been there on or about the 4th day of November, 1902?—A. Yes, sir.

Q. How about Willis Hilber?—A. He left some time last spring.

Q. He left last spring?—A. Yes, sir.

Q. You are positive about that?—A. Yes, sir; because he had lived there about five years, so I can remember when he left.

Q. Who brought you here, Mrs. Campbell?—A. What do you mean?

Q. Who brought you here?—A. Who brought me into this office?

Q. Yes, ma'am.—A. I don't know, I am sure.

Q. How did you come?—A. I was sent for.

By Mr. RICHEY:

Q. You was subpoenaed?—A. I was subpoenaed.

Q. When were you subpoenaed?—A. This morning.

Q. Have you the subpoena with you?—A. Yes, sir.

Q. May I see it?

(Witness produces subpoena and hands same to counsel for contestee.)

Q. What did you mean when you said you would never tell voters anything again?—A. I mean that when the voters ask me again I will not tell them.

Q. What do you mean by "the voters?"—A. People coming and wanting to know who lives there; I won't tell anyone again.

Q. When did they come there?—A. I don't know; they do to every house.

Q. How do you know they come to every house?—A. I see them going around.

Q. You don't know whether they do or not, do you?—(No answer.)

Q. Do you understand the question, Mrs. Campbell?—A. How do I know? I suppose so.

Q. How often do they come to your house on that mission?—A. Been to my house very often.

Q. What do they come for?—A. Want to know who lives there.

Q. When did they come?—A. Shortly before they elected for the delegates.

Q. Before the election of delegates; then you had your house rented to voters on or before the election for delegates; is that the idea?—A. To the voters? I had people there; I don't know what you mean; most every man is a voter after he is 21, I believe.

Q. We will concede that every man is a voter after he is 21.—A. I suppose he is.

Q. They didn't come merely for the purpose of casting a vote?—A. Not that I know of.

Q. Had anybody come around to see you regarding these persons who registered from your house?—A. No, sir.

Q. Did anybody come to ask you whether certain persons lived there at your house on or before election time?—A. Not that I remember.

Q. Nobody ever came around to see you and request you to give the names of male persons on or about election time?—A. What election do you mean?

Q. I mean the last election; the one you are perfectly familiar with?—A. They came around and asked me who was in the house; I gave the names of the gentlemen.

Q. You gave the names of the gentlemen who were in your house?—A. I gave the names of the gentlemen who were in the house at that time.

Q. That was before the last election?—A. Yes, sir.

Q. Did you tell them Mr. James Campbell lived there?—A. I don't think so; I don't know of such a man.

Q. Was Campbell living in your house within the last eight weeks?—A. I don't know that there was ever a Campbell lived in my house except myself.

Recross-examination by Mr. FROMBERG:

Q. You say you kept no records of these men; you had no register?—A. No.

Q. These two people—Phillips and Campbell—that you don't think lived in the house, they may have been there and you not know it?—A. I don't remember of their ever being there.

(Objected to.)

Q. You can't swear they were not?—A. No; I can't swear to that.

By Mr. RICHEY:

Q. Was there ever two Sam Mays living there?—A. No.

Q. Did Mr. Campbell ever lived there?

(Objected to on the ground that the question has already been answered.)

A. I don't remember Mr. Campbell ever having been in the house.

Q. This other gentleman that he has asked you about that you say may have been there, if they were there you did not know them?—A. They might have stayed a week or so; never anyone stayed with me for some time that I did not know.

Q. Some of these gentlemen remained with you some time?—A. Some stayed four or five years, some only a month. I have a very large house and could not remember all of the gentlemen.

By Mr. FROMBERG:

Q. You will not swear that these two men—James Campbell and Phillips—were not at your house, will you?—A. No, I won't; because I can not tell. I won't swear to anything that is not right.

Q. You simply don't remember them?—A. No; I do not.

GEORGE DABNEY (colored), of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Where do you live, Dabney?—A. No. 1337 Gay.

Q. How long have you lived in the city of St. Louis?—A. Six months.

Q. Were you a registered voter at the last election?—A. No, sir; I didn't register.

Q. Did anyone solicit you to register at the last election?—A. Yes, sir.

Q. Who was it?—A. William Lee.

Q. Where does William Lee live?—A. I don't know where he lives; I know where he wanted me to register.

Q. What business is he in?—A. Saloon.

Q. Whereabouts is his saloon?—A. At 409 North Levee.

Q. Where did he want you to register from?—A. From his number.

Q. What did he tell you?—A. Well, I told him I hadn't been here long enough to register.

Q. What did he say?—A. I just told him I hadn't been in town long enough, and he says, "Oh, that is all right; just say you have been here long enough and go and vote all right." He says my vote would get in all right; he done explained to me how to get in.

Q. What information did he give you to enable you to register?—A. Well, he didn't particularly give me no instructions to register, simply told me that was making a citizen of me if I would register, and that it would help him right smart.

Q. Where were you on the 4th day of last November—last election day?—A. In St. Louis.

Q. Did you see William Lee on that day?—A. Yes, sir.

Q. Whereabouts was he when you saw him?—A. I seen him several places; in the house, on the street, and going up to the polls.

Q. Did you have any talk with him on that day?—A. Yes, sir; we had a little talk a time or two.

Q. Where was the talk?—A. In his house, the biggest part of it.

Q. About what time?—A. Well, after 1 o'clock; along after 1 o'clock.

Q. On the afternoon of election day?—A. Yes, sir.

Q. What did he say in that talk?—A. Well, he says he was getting boys to vote, and asked me if I didn't want to vote; if I would go up and stick in, something in it for me. He says, "Don't you want to vote?" He will fix it, and there was a little something in it for me.

Q. What did you tell him?—A. Well, I never decided on going along in until late in the evening, so a little after getting dark, along about sundown, he gets up another crowd and I starts up with him—

Q. Where?—A. To the polls.

Q. Where from?—A. From his house.

Q. How much of a crowd was with you?—A. Well, there was very nigh as many as is here—fourteen or fifteen, I think.

Q. Who led? Who took the crowd up?—A. He was leading when we went up.

Q. William Lee was?—A. Yes, sir; he went up on one side of the street and we was on the other, up on Olive, and then when we come to the corner he met us.

Q. Then what did he say?—A. He told the boys to go in and give us them slips, names on, to vote.

Q. Did he give you a slip?—A. Yes, sir.

Q. What was on the slip?—A. "Richard Shields" was on the slip.

Q. Any number on it?—A. 310 was on it.

Q. 310 what?—A. Levee.

Q. What else, if anything?—A. Said something about State, ten years; city, five; something like that.

Q. What did he give you that slip for?—A. That was the name I was going to vote.

Q. Did he ask you to vote on that name?—A. Yes, sir.

Q. Did he tell you how you were to vote?—A. Yes, sir.

Q. What did he tell you?—A. Vote the Democratic ticket; not to scratch.

Q. Without scratching?—A. Yes, sir.

Q. Did you vote it?—A. No, sir; I never voted.

Q. Did you have any words with him afterwards about whether or not you had voted on that slip with him?—A. I didn't talk to him; I talked to some of his men.

Q. Do you know what men?—A. A fellow came along—

Q. Well, what?—A. I was talking with him.

Q. Who was he?—A. Name was—I can't remember his name.

Q. Did you tell him that you had not voted?—A. Yes; I was talking with a man and I told him I never voted. I went up there and when I goes up to the polls, why, it was raining—commenced raining; it was sprinkling before and commenced to rain—and then I went up through the alley and goes out, and there was a gentleman, a white gentleman, on the street, and I tells him I had been over to vote; I told him on the way down. He asked me where was the ticket and I showed it to him, and he looks at it—

Q. You mean this slip when you say "ticket"?—A. Yes, sir. And we goes up Broadway and I went up on the third floor—I believe it was the third floor—of a building with him—

Q. The Temple Building, the Republican headquarters?—A. Yes, sir; he said something about Republican.

Q. Did you leave your slip there?—A. Yes, sir; they took it and put it on a tag.

Q. Now then, you don't know the persons, the men working for William Lee, the ones to whom you said you would not vote?—A. No, sir; I know one; his name is Ed. Patton. I told him I never voted. He asked me to go and vote and I told him no.

Q. Now, then, was that on election day?—A. Yes, sir.

Q. When was it that you told Ed. Patton you would not vote?—A. That was about the 5th, the next day.

Q. What happened to you on the 7th of November?—A. I gets arrested.

Q. What were you arrested for?—A. Well, I was arrested with Ed. Patton—me and Patton was talking, and he had a knife open in his pocket. We had been upstairs in the wine room—

Q. Whose wine room?—A. William Lee's. He has a knife in his pocket, and the watchman was there, and the police officer came up, and he said he had just come in time to spoil a cutting spree, and so he arrested him and me with him, and when the officer testified against us he told the judge what I have just said.

Q. What did the judge do?—A. He fined us both \$10 and costs, and I didn't have nothing—

Q. Are you in the habit of using rough language?—A. No, sir; I didn't use no bad language.

Q. Now, you say William Lee's place is 409 North Levee?—A. Yes, sir.

Q. What is the name of that place?—A. Saloon, as far as I know; William Lee's saloon they called it.

Q. Called it what?—A. Club house.

Q. Isn't it called the Eastern Branch of the Colored Men's Jefferson Club?

(Objected to as immaterial and irrelevant.)

A. That is it.

Q. That is a colored Democratic club?—A. Yes, sir.

(Objected to on the ground that the Democratic party is not divided into branches, but is one grand and glorious party.)

Q. Of which the East End Colored Men's Jefferson Club is a part?

Mr. FROMBERG. That is a matter of proof.

Q. Who was the person who was president of the East Branch of the Colored Men's Jefferson Club?—A. Mr. Lee.

Q. William Lee, the man who asked you to vote the unscratched Democratic ticket?—A. Yes, sir.

Cross-examination by Mr. FROMBERG:

Q. Where did you come from to the city?—A. Hannibal, Mo.

Q. What is your occupation?—A. I run on the river principally; run on the river principal part of the time.

Q. You run on the river?—A. Principal part of the time.

Q. What do you do on the river?—A. Deck hand; sailor.

Q. Deck hand?—A. Yes, sir.

Q. When did you leave Hannibal, Mo?—A. Left Hannibal the 3d of August.

Q. What did you do down there?—A. I was working at an ice house there.

Q. You didn't work on the river there?—A. Some on the river.

Q. How long did you work on the river down there?—A. Well, I was on the river about a month while I was down there.

Q. Worked on the river one month?—A. A little over a month.

Q. That was all the river experience you had?—A. No, sir.

Q. What other experience did you have?—A. I had been on tow boats in the Ohio River.

Q. Where?—A. On the Ohio and Mississippi rivers.

Q. Where did you live before you went to Hannibal?—A. I lived at Henderson, Ky.

Q. Where were you born?—A. I was born at Henderson, Ky.

Q. How long did you live there?—A. Lived in Henderson for 16 years.

Q. How old are you?—A. Twenty-seven.

Q. You are 27, are you?—A. Yes, sir.

Q. You came to Hannibal from Henderson, Ky?—A. Yes, sir.

Q. How long did you stay in Hannibal?—A. How long I stay in Hannibal?

Q. Yes, sir.—A. About four months, I believe.

Q. You were there four months?—A. Yes, sir.

Q. Are you married or single?—A. Single.

Q. Were you ever married?—A. No, sir.

Q. Why did you leave Hannibal?—A. Because I didn't like the work.

Q. You say you worked in an ice house there?—A. Yes, sir.

Q. For whom?—A. Mr. Grove.

Q. How long did you work for him?—A. I worked for him one—no I worked for him three weeks.

Q. Did he own the ice house?—A. No, sir; he was just foreman there.

Q. Oh, he was foreman?—A. Well, I got my money from him.

Q. He paid you?—A. Yes, sir.

Q. You worked for him about four weeks?—A. No, sir.

Q. How long did you work for him?—A. Three weeks.

Q. Well, what did you do?—A. Just helped to get out orders.

Q. Did you weigh the ice?—A. No, sir; I didn't; he weighed that.

Q. What did you do, just helping?—A. Yes, sir; and when we get orders I tell him, and I put it on the run and slide.

Q. You came to St. Louis. How did you get here?—A. I came in on the train.

Q. Did you stop off anywhere?—A. No, sir.

Q. Where did you stop?—A. Nowhere only in St. Louis.

Q. What place were you stopping in in St. Louis?—A. When I come to the city, down on Clark.

Q. With whom did you live?—A. I lived with Henry Edwards.

Q. How long did you know him?—A. I been knowing him off and on for about five or six years.

Q. Where did you first meet Henry Edwards?—A. I met him in Memphis.

Q. Oh, in Memphis?—A. Yes, sir.

Q. You worked down in Memphis, then?—A. No, sir; I never worked in Memphis. I run on the river, and sometimes we came to port and got off there.

Q. Where did you first meet Billy Lee?—A. William Lee? Oh, I been in his saloon for the last two years off and on; came up on a boat, and been around there.

Q. How long have you lived here?—A. Six months.

Q. What are your politics?—A. I have got no particular politics.

Q. Have you ever voted the Democratic ticket?—A. My people are all Republicans.

Q. Did you ever vote?—A. Yes, sir.

Q. Where?—A. At Henderson, Ky.

Q. Is it not a fact that you were arrested and taken before the grand jury for false registration in Henderson, Ky.?—A. No, sir; I never was before no grand jury.

Q. Is it not a fact that you were before the grand jury for false registration in Henderson, Ky.?—A. Never was before a grand jury in Henderson.

Q. Where were you indicted before the grand jury?—A. Nowhere.

Q. Where did you say you were indicted?—A. I was indicted nowhere.

Q. Where were you arrested?—A. Here.

Q. For what charge?—A. The charge I was telling you about a while ago.

Q. Tell us again.—A. Well, we had some words, a fellow named Patton and me, and he had a knife in his pocket, open, coming downstairs from the third floor. I was standing back against the door this way [indicating], and a policeman seen us, and I didn't see the policeman, and he grabs ahold of him, and he said, "I am just in time to stop a cutting spree here." He says, "What is that you got in your hand?" and he took the knife away and put it in his own pocket, and the watchman says, "You better take this fellow along, too," and the next morning they took us before the judge and the officer testified against us, and I got fined \$10 and stayed.

Q. The judge found you guilty, did he?—A. Yes, sir.

Q. When was the other time?—A. Ain't no other time.

Q. Well, you were never arrested before?—A. No, sir.

Q. What judge was that?—A. Judge Sidener.

Q. He is a Republican, is he not?—A. I suppose so.

Q. He was a candidate for judge of the court of criminal correction, was he not?—

A. I don't know, sir.

Q. Did you pay your fine?—A. Stayed it.

Q. What do you mean?—A. Why, I went to the workhouse and stayed there.

Q. Oh, you went down to the workhouse and stayed it out?—A. Yes, sir.

Q. You say your politics are Republican?—A. I said that is my people's politics, and I always found them right.

Q. You have never been anything else?—A. I only voted once, and then I voted the Republican ticket.

Q. When did you vote?—A. At the national election.

Q. When was that?—A. In 1900.

Q. Where was that?—A. Henderson, Ky.

Q. How long were you in Henderson, Ky.?—A. I have been there—I was born and raised there.

Q. Then you are merely visiting here. Is that it?—A. No; I am living in St. Louis now.

Q. Then St. Louis is your domicile and Henderson is your residence?—A. I am living here. My home is where my people are. I have got no people now; only some few cousins.

Q. Where are they?—A. Henderson, Ky. That is where I was born and raised, and that is why I call it my home.

Q. Tell me do you know anything about the election laws of the city of St. Louis?—A. No, sir.

Q. Do you know anything about the laws of the State?—A. No, sir, I don't; unless it is like other States.

Q. Never mind that. I am asking you do you know anything about the laws of our State?—A. No, sir.

Q. Do you know how long a person must be here in order to register?—A. I suppose a fellow must be here such a time before he can vote.

Q. What is your interpretation of the law on that subject?

(Objected to as immaterial and irrelevant, as this man is not a lawyer, and for the further reason that the questions are merely asked for the purpose of killing and consuming time.)

Q. If you know, tell us what is the required or legal time.—A. I don't know.

Q. What do you know?—A. I know I didn't vote.

Q. Why?—A. I had not been here long enough.

Q. How do you know that?—A. I had just come here a few weeks before, and I know that was not long enough.

Q. You stated you had been living here six months.—A. That is now two months ago.

Q. Oh, then you came here about four months prior to the election?—A. Yes, sir.

Q. How do you know you were not a competent voter?—A. Well, I had that slip,

and it said on it "State, ten years; city, four or five years." That is the way the slip read and I knowed I hadn't been in the State nor in the city nary a one.

Q. Did they tell you to say you had been in the State ten years?—A. Yes, sir; they told me to say I had been here ten years. I looked at that ticket and see what was on it, and they told me not to show it to anybody.

Q. Can you read and write?—A. Oh, a little.

Q. Where did you obtain your education?

(Objected to as wholly immaterial.)

A. I have no education.

Q. Who helped you to read this slip?—A. I read it myself.

Q. Where did you obtain your education?—A. What little I know I learned at the public school.

Q. How much do you know?—A. I couldn't say.

Q. How high a grade did you attain at the school?—A. I went until I could read and write and figure some.

Q. What do you mean by reading and writing?

(Objected to as wholly immaterial and irrelevant, the questions being asked merely for the purpose of filling the record and consuming time.)

Q. Can you write a letter?—A. Yes; I can write one. I don't know if anybody can read it, though.

Q. You can't read?—A. I can read some people's writing.

Q. You mean you can't read everybody's?—A. No, sir; I get a letter sometimes, and some words I can't make out; I generally attend to my own writing and reading.

Q. Are you able to read Spencerian writing?

(Objected to as irrelevant to any issues pending before Congress.)

A. I don't know as I ever studied Spencerian writing; I don't know nothing about that.

Q. Explain to us what was contained on that slip of paper which was handed to you.—A. Well, it had on it "Richard Shields."

Q. How do you spell that?—A. R-i-c-h-a-r-d, I believe, and S-h-i-e-l-d-s, or S-h-e-i-l-d; I presume that is right; he made it before I started.

Q. What else did that say?—A. "State, ten years, I believe; city five."

Q. State, ten; city, five years?—A. That is my understanding; I didn't think I ought to say I had been here ten years when I had not.

Q. You walked up Olive street with fourteen or fifteen men; who were they?—A. I could not tell any of their names.

Q. You didn't know anybody but Billy Lee?—A. I know another one.

Q. What is his name?—A. What his name is I couldn't say.

Q. How long have you known him?—A. I been knowing him, seeing him pass along; I really didn't know him; one of the fellows they call Jim, some fellows got kind of changed around; one man they called Jim something, that is all the name I know, and one fellow they called Soldier.

Q. They were all colored men?—A. Yes, sir; all colored men in that gang.

Q. How do you know there were fourteen or fifteen?—A. I just merely guessed at it; very nigh as many as in here; wasn't quite so many, but a pretty good crowd.

Q. Did you vote?—A. No, sir.

Q. Tell us what became of you.—A. I walked up the alley on Locust, on Olive street between Second and Third; there is an alley right where we stood.

Q. On the north or the south side?—A. On the south side.

Q. You got to the alley?—A. Yes, sir; I goes up the alley, and I stood there a little while before going, and it begun to rain, and some of the men went in.

Q. Went in where?—A. Going in the polling place right up by the custom-house.

Q. Did you go in there?—A. No, sir; I went along through the alley.

Q. Where did you go?—A. I came out on Pine street, and a fellow there told me—

Q. Never mind what the fellow told you. What happened next?—A. Well, I will have to tell you what the fellow said, now.

Q. What did you do when you went away? Where did you go; what happened to you?—A. I went up on Broadway, as I told you a while ago.

Q. What did you do next?—A. I went back downtown to Will Lee's saloon.

Q. His store?—A. No; his saloon.

Q. What did these other 14 men do?—A. I couldn't say. I left them standing there. I don't know whether there were 14; there was about 13 or 14, maybe there was 15 in the crowd; to be sure, I don't know; I know it was not any less.

Q. You went straight down to Lee's saloon, then?—A. No, sir; from there I went to the Temple Building on the third floor.

Q. Do you know whether those other men voted or not?—A. I could not say.

Q. You could not say whether they did or not?—A. No, sir.

Q You don't know what ticket they voted?—A. I know what ticket he wanted them to vote.

Q. Do you know what ticket they voted?—A. I don't know whether they voted at all; if they did vote, I know the one he wanted them to vote.

Q. What ticket did he want them to vote?—A. Democrat.

Q. How do you know?—A. He asked us all the same, giving us the slips.

Q. Did he tell you all to vote the Democratic ticket?—A. Yes, sir; he told us all the same secret.

Q. What was the secret?—A. The same secret—that was where to go and vote the Democratic ticket.

Q. What next?—A. That was all; next we went.

Q. What is that?—A. Next we went.

Q. These other men who voted, do you know whether they voted Democratic or Republican?—A. I don't know.

Q. Did they ever tell you their politics?—A. I didn't ask them.

Q. You knew that they were going to vote the Democratic ticket?—A. That is what he told them to vote.

Q. You don't know whether they voted it or not?—A. I don't know; one man went in at the time I was there.

Q. I thought you went up the alley?—A. Yes, sir; after I stopped as much as I wanted to.

Q. How do you know they voted?—A. I saw them in single file.

Q. How do you know they went in single file?—A. I stopped along and looked, and then I went away.

Q. You didn't go right straight through the alley there at once; you stopped and looked first?—A. When I first was there I stopped and looked; that is what I told you first.

Q. And then you came back to the saloon?—A. No, not then.

Q. Where did you go?—A. I went to the Temple Building.

Q. What building?—A. I went to the Temple Building.

Q. What were you doing at the Temple Building?

(Objected to on the ground that the witness has already answered the question four or five times.)

Q. Answer the question.—A. I done told you I went up there and left that card.

Q. With whom did you leave it?—A. I don't know the man's name.

Q. Who told you to leave it?—A. I don't know that man's name, either.

Q. Why did you do that?—A. Because the man told me that I could get into trouble by voting that card.

Q. You were afraid you would get into trouble voting the card?—A. And I thought that was the best place to put it.

Q. What room is that?—A. It's on the third floor.

Q. I say what room?—A. I don't know the room.

Q. The third floor of the Temple Building? You don't know the room number?—A. I don't know that.

Q. Who did you see there?—A. I seen some people, like I do here. I didn't know them, and I don't know nobody here.

Q. What did you say when you went in?—A. Just handed him that card, and he asked me what for, and I told him.

Q. He asked you what for?—A. Yes, sir.

Q. He was very much surprised, was he not?—A. I don't know.

Q. You didn't ask him?—A. I don't know whether he was surprised. He didn't tell me. He didn't act that way. He asked me some few questions.

Q. You say you were never arrested and brought before the grand jury of Henderson, Ky., for violation of the law?—A. No, sir.

Q. Have you always been a Republican?—A. I never voted but once, and I voted the Republican ticket.

Q. You have always been a Republican, then?—A. I said my people always voted that way, and I concluded what they did was right, and it never got me into trouble.

Q. Most of your friends are Republicans?—A. I don't know as I have any friends.

Q. You don't know whether you have any friends?—A. No, sir; I don't.

Redirect examination by Mr. RICHY:

Q. William Lee had his saloon down there, you say?—A. Yes, sir.

Q. He gave you the slips and gave this gang of twelve or fourteen men slips to vote?—A. Yes, sir.

Q. Where did he give this gang the slips?—A. I don't remember the exact number of them.

Q. I say, whereabouts did he give them the slips?—A. Up in his office on the second floor.

Q. 409 North Levee?—A. Yes, sir.

Q. Then, when you came up and stopped there at this alley, how many of these men who had the slips went into the polling place before you left?—A. Some three or four had gone in.

Q. The rest of them were standing in line?—A. Standing right there.

Q. Waiting their turn?—A. Waiting their turn.

Q. When he gave you the slips what did he say about how you should vote?—A. It was understood we were to vote Democratic.

Q. What?—A. The Democratic ticket.

Q. Had you been at the voting place before that time on that day?—A. No, sir; I didn't know where it was until we all went there.

Q. Did you see any of these people that were in that gang go about voting?—A. Yes, sir; several of them said they voted.

Q. Did any of them say they voted more than once?—A. Yes, sir; I heard them say they voted several times, and I seen them going backwards and forwards.

Q. Where?—A. To the polls.

Q. From William Lee's saloon?—A. Yes, sir.

Q. Up to the polls and back?—A. Yes, sir.

By Mr. FROMBERG:

Q. How many drinks did you have?—A. I couldn't say; I didn't have many.

Q. You had some?—A. I don't remember.

Q. You had so many you don't remember?—A. I don't get that way.

Q. How do you get?—A. I am about like I always is.

Q. About like you are now?—A. Not always.

Q. Not always?—A. No, sir; but I was not drunk.

Q. You were like you are now?—A. I suppose I got wet going out in that rain.

Q. You got wet—how, inside or outside?—A. Outside.

Q. Not inside?—A. I didn't take any drinks on him.

Q. That was the only day you have not taken any drinks on him, was it?—A. I don't remember any day taking any drink on him.

Q. How long have you known him?—A. I have been knowing him personally six months.

Q. You have been in his saloon very often?—A. Yes, sir.

Q. Taken drinks there often, too?—A. I paid for them.

Q. You always paid for them?—A. Yes, sir.

Q. You always drink whisky, too, don't you?—A. I don't always drink whisky.

Q. You varied your drinks?—A. Whatever I felt like drinking.

Q. How did you feel that day?

(Objected to.)

A. I might have taken a drink.

Q. You will not swear you did not take several?—A. I won't swear I did take several—no, sir; I know I was not full.

Q. You are pretty sure of that?—A. Yes, sir.

Q. Who brought you here?—A. I brought my own self here.

Q. You were subpoenaed, were you?—A. Yes, sir.

Q. To whom did you talk about this case?—A. Which case.

Q. This case, about your testimony here?—A. You and this gentleman here [indicating].

Q. This is the first time you have spoke of it? When did you first hear of the contest?—A. The first time I heard of it? I don't remember the date now, it's been so long.

Q. Do you know how long ago?—A. Well, it was last week.

Q. How long after election?—A. I don't know; I have been away. I went away and I thought it would be all over when I came back, and when I was subpoenaed I come.

Q. Who told you about this case? Who spoke to you about it?—A. A fellow that testified up here.

Q. A man who had already testified?—A. Yes, sir.

Q. What did he say?—A. Said my name had been called—that they was looking for me.

Q. You did not ask why?—A. No, sir.

Q. Did he ask you what you knew?—A. He knew what it was; he knowed it; I wouldn't have to tell what it was.

Q. Did you have any conversation with anybody else about it?—A. No, sir.

Q. Are you sure about that?—A. Yes, sir.

Q. Had no conversation with anybody about this?—A. No, sir.

Q. Where have you been working these two months?—A. I worked on the river until it froze.

Q. Who were you working for?—A. I worked on the *Savannah*—no, not the *Savannah*, it was the *Clifton*.

Q. Who is the captain?—A. I don't know. I know Mr. Massengale; I know I was working on the *Clifton*.

Q. Who was the mate?—A. Tom Sheers.

Q. What salary did you receive for your work?—A. I got \$2 a day.

Q. What were your duties on this boat?—A. My duties was to work.

Q. Your duty was to work?—A. Yes, sir; like the others.

Q. What was the work; what did it consist of?—A. Well, I was helping with the freight; helping to load and unload.

Q. Did these gentlemen promise you any remuneration or money for your testimony here?—A. No, sir.

Q. You just came here out of the kindness of your heart?—A. No, sir; because I was called on.

Q. You came as a matter of justice?—A. Yes, sir; because I was subpoenaed.

WILLIAM HAHN, JR., of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith, as follows:

Direct examination by Mr. RICHES:

Q. Where do you live?—A. 114 South Third.

Q. What is your age and business?—A. Twenty-six years.

Q. What is your business?—A. Wood turner.

Q. In what precinct do you live?—A. First.

Q. What ward?—A. Fifth.

Q. Did you have anything to do with the election on Tuesday, November 4?—A. Yes, sir.

Q. What did you do?—A. I was clerk.

Q. Where?—A. At 210 South Second.

Q. Did you have anything to do with the registration?—A. Yes, sir; clerk.

Q. How many days were there in your precinct for voters to come and register?—A. One.

Q. Only one?—A. Yes, sir.

Q. Did you have anything to do with the revision of the registration?—A. Yes, sir; we can vassed the ward.

Q. You mean the precinct?—A. I mean the precinct.

Q. What precinct?—A. The first.

Q. Will you tell us how you conducted that canvass?—A. Yes, sir; we went from house to house and asked for names on the verification list.

Q. Did you go to 212 South Second, where 16 voters were registered?—A. Yes, sir.

Q. How did you test the registration?—A. Why, the Democrat clerk called off the list of names to the proprietor and he would say they were there, and the rest, he would say, had left there.

Q. Who was the proprietor?—A. Joseph Evans.

Q. What kind of a place was that?—A. Saloon and pool room.

Q. A rooming house, too?—A. I don't know.

Q. Did you find 16 people living there?—A. Claimed they were.

Mr. FROMBERG. Speak a little louder, we can't hear you.

Q. Now, did you go to 208 North Second street, where 10 people registered?—A. Yes, sir.

Q. What kind of place was that?—A. Cheap lodging house.

Q. Who is the proprietor of that?—A. I don't know.

Q. How did you find out whether they were registered or not?—A. Went in and asked the proprietor if they were there, and he said they lived there. I don't doubt it; there are a lot of hoboos down there.

Q. Did you go to 210?—A. Yes, sir.

Q. Did you find 13 people there?—A. He claimed there was; I told him I doubted it very much, and he said that he had room for 50, stack them one on top of the other.

Q. How large is the house?—A. Three stories.

Q. What was on the first floor?—A. Reception room, I guess; lounging room.

Q. Any beds?—A. No, sir.

Q. When you went to these places for the purpose of testing the registration was the list always read first, the list of people said to be there, and then did you ask whether or not they lived there?—A. Yes, sir.

- Q. You said the building was 210 South Second?—A. Yes, sir.
- Q. You mean 210 south, and not 210 north?—A. Yes, sir.
- Q. Did you ever try the experiment of asking the proprietor or "boss" to tell you what persons lived there?—A. Well, he would say he didn't know their names; then the Democratic clerk would read off the names.
- Q. Every name was read?—A. Yes, sir.
- Q. And then would he say they were there?—A. Yes, sir.
- Q. How many times did you try those tactics?—A. Tried them everywhere.
- Q. But always met with the same result?—A. Yes, sir.
- Q. The Democratic clerk would read off the names?—A. Yes, sir.
- Q. Every time he would say they were there?—A. Leave out one or two sometimes.
- Q. On election day was there any trouble in your precinct?—A. Yes, sir. There was two judges had an argument about a ballot; that was all I heard.
- Q. How far was it, 210 South Second street, to the saloon?—A. Next door was the pool room and saloon combined.
- Q. The saloon was next door to the polling place?—A. Practically they were.
- Q. Was it open all day on election day?—A. The pool room was; I don't know whether the saloon was or not.
- Q. Were there officers at the polling place?—A. Yes, sir.
- Q. Did you know them?—A. No, sir; I knew none of them.
- Q. Were they regular officers on that beat?—A. One was.
- Q. How many were there altogether?—A. Three.
- Q. The other two were strangers, imported in that precinct for the day?
(Objected to as to form.)
- A. I knew neither of them—none of the three—until after the election. I recognized the one as being the officer on the beat.
- Q. The other two were strangers?—A. I did not know them.
- Q. Were they the officers that properly belonged on that beat?—A. No, sir.
- Q. Now, did you have any difficulty with an officer there on that day?—A. Yes, sir: I was standing talking to a friend, and he said I must move a hundred feet from the polling place. I told him I was simply talking to a friend, and he said I couldn't bulldoze him, and I said I wasn't trying to bulldoze him. I told him he ought to make the others move on—there were some others standing around there. I then went inside, and never said any more about it.
- Q. He objected to your talking to a friend within a hundred feet of the polling place?—A. Yes, sir.
- Q. But he allowed others to stand within 100 feet of the polls?
(Objected to, on the ground that the witness did not so state.)
- Q. Do you know his name?—A. I do not.
- Q. Did you know why he objected to your being there and did not object to these others?
(Objected to.)
- A. He claimed they had just got there.

Cross-examination by Mr. FROMBERG:

- Q. How old did you say you were?—A. Twenty-six.
- Q. With what political organizations are you identified?—A. Republican.
- Q. You have always been a Republican since your majority?—A. Yes, sir.
- Q. Have you ever in your experience served as an election official?—A. Yes, sir.
- Q. Before this time?—A. Yes, sir.
- Q. When?—A. Three previous elections.
- Q. During three previous elections?—A. Yes, sir.
- Q. Then you are a "regular," are you not?—A. Sir?
- Q. I say then you are a "regular," are you not?—A. What do you mean?
- Q. I mean you are a regular official at election times?—A. No, sir; I am only a "regular" when I am appointed.
- Q. That is what I mean.—A. Well, I don't want to hold the job any longer.
- Q. Who appointed you?—A. My committeeman, I presume.
- Q. Who is he?—A. Joseph Schuler.
- Q. He is the Republican committeeman?—A. Yes, sir.
- Q. Who appointed you previously?—A. The other Republican, Mr. Shawaker.
- Q. There was some dissension between Mr. Schuler and Mr. Shawaker this time, was there not?—A. I think so.
- Q. Do you know what it arose from?—A. No, sir; the only way I could say, they both probably wanted to be central committeeman.
- Q. On which side were you?—A. On the side of Mr. Schuler.
- Q. The last time you were with Shawaker?—A. The last time there was no contest.
- Q. You were Mr. Shawaker's friend; he appointed you before?—A. Yes, sir.

Q. This time you switched off; you didn't stand by Mr. Shawaker, but sided with Schuler?—A. I didn't switch; I sided with Schuler.

Q. There was considerable dissension in the Republican party, was there not?—A. Not that I know of. I am not enough on the inside to know.

Q. You have been a Republican for five years?—A. Yes, sir.

Q. You are familiar with the workings of the party?—A. Not to that extent.

Q. Don't you belong to their organizations?—A. No, sir.

Q. Didn't you ever belong to the Republican organizations in this city?—A. No, sir.

Q. Now repeat the canvass that you made; tell us the history of this canvass you made in this precinct.—A. I said we went from house to house.

Q. Who did you go with?—A. The Democratic clerk.

Q. What did you do?—A. We went from house to house. We had the verification list, and we asked the proprietor of each place whether these people lived there, and whether their names was on his register.

Q. Yes, sir; you both asked him, did you not?—A. I didn't ask; he did.

Q. You alternated—sometimes you would ask and sometimes he would ask?—A. Yes, sir.

Q. Nothing unreasonable about that?—A. I don't know that there was.

Q. Did you find anything irregular in this proceeding?—A. No; he was a pretty good friend of mine; I guess he was acting according to instructions.

Q. What do you mean by that?—A. He had his instructions.

Q. Didn't you have any instructions?—A. Only to be thorough.

Q. How do you know his instructions were any different from yours?—A. How do I know? I can judge that.

Q. Was there anything wrong about his instructions?—A. He would not tell me.

Q. This is only a surmise on your part?—A. Yes, sir.

Q. What led to these surmises?—A. Because he was watched.

Q. By whom was he watched?—A. By some of his friends, I guess.

Q. What did they say?—A. You don't suppose they would tell me anything, do you?

Q. How do you know they were watching him?—A. Because they would follow him up.

Q. What were they watching him for?—A. Well, maybe they were afraid I might influence him.

Q. Afraid you might influence him?—A. That he would not do his duty as they told him. When we would go to a place where he had 15 or 20 names, if I asked the names of some people that was not on the books he cut me short.

Q. Was there anything wrong about that?—A. Yes; if I come to your place and ask whether John Smith's name is not registered from there, and you commence to say yes, you are prompted—

Q. Was he prompting you?—A. No; he prompts the proprietor.

Q. What did he say?—A. What I told you.

Q. Just repeat it again, please.—A. If you are a proprietor of a lodging house and you have about 20 men in there, and I call and have a list of names, and you say first he don't live there, and I read from the list the man's name and say, "Yes, he does live there, don't he?" I call that prompting.

Q. How often did that occur?—A. I didn't make any note of it. It always happens at every election.

Q. Then this election is not the only time it happened?—A. No, sir.

Q. It also happened at previous elections?—A. Yes, sir.

Q. You read the names sometimes, didn't you?—A. Yes, sir.

Q. This never occurred when you were reading the names, did it?—A. How?

Q. I say it never occurred when you were reading the names; you didn't do any prompting?—A. Did I do any prompting? I don't understand you.

Q. What did you do when you read the names?—A. I would get another name mixed up in it just to see whether he would answer yes to that, and then I would be stopped by the Democrat.

Mr. RICHY. By the Democratic who?—A. By the Democratic clerk.

Q. What did he do?—A. He just prompts; he says that name ain't there.

By Mr. FROMBERG:

Q. Tell us that again.—A. If I called off a name I would be stopped by him; that's all.

Q. Is there anything irregular about that?—A. How?

Q. Is there anything irregular about that?—A. That is according to how you want to look at it.

Q. Did you find anything irregular about that?—A. I could not say.

Q. You didn't think it was very irregular, did you?

(No answer.)

Q. You say you and the police officer had some trouble there?—A. Oh, that was no trouble to amount to anything.

Q. He tried to drive you away from the polls, a hundred yards within the polling place?—A. One hundred feet I said; might not have been that much; might have been 90 or 99.

Q. He was perfectly right in doing that, was he not?—A. Yes, sir.

Q. You found no fault with him for doing that—that was his duty?—A. I had no objection, only I wanted him to keep the other parties away, too.

Q. He was doing his duty?—A. On my part.

Q. So far as you know he was doing his duty, was he not?—A. He was; if he would insist upon our being 100 feet away, I insisted upon him keeping all the rest 100 feet from the polling place.

Q. Did you see him order others not to come within 100 feet from the polling place?—A. No, sir.

Q. So far as you know, he was doing his duty?—A. Kind of a one-sided duty.

Q. You watched the voting very closely on that day?—A. I did, sir.

Q. Did you find any illegal votes there?—A. Not unless from those houses.

Q. I am talking about your precinct; do you know of your own knowledge whether there were any illegal votes cast on that day?—A. What do you mean—illegal?

Q. I mean any votes that were not proper.—A. Do you mean—

Q. I mean not on the books.—A. Certainly, they couldn't vote any name that was not on the books.

Q. So far as you know the votes were all legal?—A. According to the books.

Q. Well, we generally go by the books?—A. Yes, sir.

Q. Is that the only way you can find out whether the vote is legal?—A. Yes, sir.

Q. How?—A. Oh, of course, you can find out by going to see if the man is in bed at night; I don't do that.

Not being able to complete the taking of depositions by reason of absence of witnesses, I hereby adjourn same until to-morrow morning, December 30, at 10 o'clock.

Contestant's, Exhibit No. 8, part 7—A. R. Russell, notary public.

MARTIN DELANEY, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows, to wit:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. My name is Martin Delaney.

Q. You live at 3009 Pine street?—A. Yes, sir.

Q. In the thirteenth precinct?—A. No, that is in the tenth precinct; the thirteenth precinct is where I served on election day.

Q. That is where you served on election day, Tuesday, November 4?—A. November 4; the thirteenth precinct of the Twenty-second Ward.

Q. How did you serve?—A. Challenger on the Republican side.

Q. Were you permitted in the polls?—A. When the polls opened—I was there before—as soon as the polls opened the four judges held a caucus together and decided that I was to be excused. I asked for the reason and they said there was no Democrat there, so they would not permit a Republican challenger. They asked for my credentials; I showed them my credentials from the city central committee, but they said they were no good unless they came from the commissioners' office. Well, I said, "I came here and I will not go out until I am put out." I think it was on Sunday we were assured by Mr. Aloe that we had a right to be at the polls. Well, the policeman said, "You got to go out," and I said, "Officer, you will have to put me out." So he went to the other policeman and said, "What shall we do about this; shall we put him out?" and he came and put his hand on my shoulder and I went out. I went over to see Mr. Day at his house and he told me he would come directly, but he did not come for several hours; and when he did come up they allowed me in, but as soon as he went they put me out again.

Q. How long was he there?—A. He was there not over twenty-four or twenty-five minutes.

Q. What happened when he left?—A. Why, they put me out again, the two policemen did, and I said, "What is the matter; are these judges all Democrats, or have the two Republican judges nothing to say in this matter?" He never said a word.

Q. You don't know whether all four judges agreed that you be put out?—A. No; I saw them hold a caucus in the corner, and the policeman said, "It is up to you, Delaney; you got to go."

Q. The judges didn't tell you to go?—A. No, sir.

Q. It was the policeman that put you out?—A. Yes, sir; twice.

Q. Now, where was this polling place?—A. 3421.

Q. What, Lindell?—A. Yes, sir; near a horseshoeing shop.

Q. How far was it to the nearest saloon?—A. Well, the fact was the back door of the polling place led into the saloon, and the front door was also open; it was 20 yards away from the polling place to the front of the saloon, but the back door of the polling place led to it.

Q. Do you know whether that door between the polling place and the saloon was open?—A. You could open it. I saw the policemen go there frequently.

Q. Go where?—A. Into the saloon.

Q. Where from?—A. From the polling place. On several occasions they went in there.

Q. Was that saloon open all day?—A. Yes, sir; open all day.

Q. Where did you remain after you had been thrown out of the polls?—A. I was out on the sidewalk; they would not allow me nearer than 100 feet. I went down near the corner and met a friend of mine who was coming along, Mr. Hogan, and he was working there for the Democratic party, and he says, "What's the matter, Martin?" and I says, "They won't allow me near the polls there because I am a Republican."

Q. Who was that?—A. John H. Hogan, of 4526 Lindell, near Grand.

Q. What number is that?—A. I think it was 4500; I am not sure of the number, but I think it is 4527; I know it is four houses from the corner on Grand avenue. He is a man of property and he owns property.

Q. What party did he belong to?—A. Democrat.

Q. What was he doing?—A. Just standing around speaking to his friends as they came along.

Q. Electioneering?—A. I couldn't say that, he was not distributing tickets; he asked me the reason I was not permitted there, and I said they would not allow me there because I was a Republican; and he said, "Martin, that is not right."

Q. Now, were other people allowed about the polls within the 100-foot limit?—A. That man was there all day to my knowledge.

Q. John Hogan?—A. Any time I came around he was there.

Q. Was he allowed where you were excluded?—A. Yes, sir; he was at the door talking to his friends.

Q. Were there any other persons besides yourself that were not allowed there?—A. Yes, sir; some people were excluded for the same reason.

Q. Now, was there a saloon, the one you spoke of, was it open all day?—A. It was open from the time I went there until 8 o'clock at night.

Q. It was open during the entire time?—A. Yes, sir; I was in there frequently.

Q. Were the policemen in there?—A. Yes, sir; at least a dozen times I saw both of them there.

Q. Who were the policemen?—A. I couldn't tell you; they were strangers to me—strangers on that beat.

Q. They were strangers?—A. I knew the policeman on that beat, Dugan, and the man that got hurt; neither were around that precinct.

Q. They were policemen that had been brought from other beats?—A. Yes, sir.

Q. Put at these polling places for election day?—A. They were strangers around there; I never seen them before, I know.

Cross-examination by Mr. WALSH:

Q. How long were you around or in the polling place, Mr. Delaney?—A. About three-quarters of an hour, Mr. Walsh, before they put me out. As soon as they opened the polls Mr. Hogan came up and these judges all got together; appeared to me as if it was premeditated amongst the four of them. I was standing back from the table where they had their polling books and one of the policemen called, "Mr. Delaney, you got to get out of here." I said, "What for?" and I said "I got my credentials for coming here from the central committee." There was one man named Miller, and he and his son were the two Democratic judges; he said, "You can't stay here, because we have no challenger, and we can't have you here," and I said, "What is the reason you don't have one here?" and he said, "That is none of your business, you get out of here;" and he told the officer to put me out.

Q. Did you appeal to the Republican judges?—A. I did, yes sir; but they never said a word, and that policeman said the four judges acquiesced.

Q. After this little controversy and caucus did they notify the policemen to put

you out?—A. It was very apparent to me that they agreed, but I would not swear to it.

Q. It was very apparent that the four had consulted and that the four agreed?—A. To put me out? That is the way it appeared to me.

Q. The reason was that your credentials from the Republican central committee was not sufficient?—A. That was the reason the judge gave.

Q. That your credentials were not sufficient?—A. Yes, sir.

Q. Now, what opportunity did you have of observing the entrance or the rear exit of the polling place and the rear door of the saloon?—A. Well, I will tell you that, Mr. Walsh. I forgot to mention that one of the men had been appointed Democratic judge, Edward Hartung; he is a meat cutter, living at 3511 Lindell, and he told me he was also half an hour late, and so this man Miller appointed his son in his place as Democratic judge. He told me he was in the polling place at that time, and that he went into the saloon before he knew he was out, and him and I went in that way before the polls were open, and he told me afterwards, "Martin, you better get away from here; you are not wanted, they were inimical to you, and you had better go;" and I said, "I won't go away; I am going to stay here;" and he said, "You are liable to get hurt or get into trouble." "Well," I says, "I can't help that." Just shortly after that the police came and told me to get out.

Q. Aside from that three-quarters of an hour you had no opportunity of observing the rear exit of the polling and the entrance into the saloon?—A. Yes; I was at that rear entrance a dozen times with this friend of mine, this Hartung, and then the police came out of there and went back again during the day.

Q. The policemen did not seem to be under the influence of liquor, did they?—A. No, sir; all right apparently. They didn't seem to be under the influence of liquor.

Q. These policemen were strangers there?—A. Strangers to me. I am pretty well acquainted around Channing and Grand.

Q. Are you in business out there?—A. Yes, sir.

Q. Where?—A. Out on Channing avenue and Laclede.

Q. What is your business?—A. Painting—house painting. These men were strangers. I asked them if they were not a little rude, and they said "No, you got to go."

Q. The only force they used was to put their hands on your shoulders; they were not brutal?—A. No, sir; that was sufficient.

Q. They simply laid their hands on your shoulders?—A. Yes, sir; said "You must go out."

Q. In doing that they were obeying the instructions of the judges?—A. Seemed so to me.

Q. They were not assuming any authority?—A. I don't suppose they were; they told me the four judges had said they would not permit a challenger in there.

Q. They were merely acting according to their instructions?—A. I suppose so. I said I would not go until I was put out.

Q. They put you out quietly—they did not attempt any violence?—A. They used no violence.

Q. You say they did not use force or violence?—A. No; I went out as soon as they put their hands on me, thinking it was the better part of valor in that case.

Q. You did not remain around the polls?—A. Yes, sir.

Q. You did not witness anything irregular around those polls, did you?—A. I can not really say I did.

Q. You did not see any strangers come to vote or making any attempt to vote fraudulently?—A. No, sir; I saw Dr. Comstock and a great many people I knew coming to vote. I didn't see any that I thought were not entitled to vote.

Q. And those you saw go into the polls were perfectly entitled to vote; you were satisfied of that?—A. In that precinct; yes, sir.

Q. You are familiar with the people who live in that precinct?—A. Most of the residents at this precinct I know. I knew they had a right to vote.

LEE H. VOELLNECKE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Lee H. Voellnecke.

Q. Where do you live?—A. 2653 Olive street.

Q. In the fifth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. You were clerk of election of Tuesday, November 4, of this year?—A. Yes, sir.

Q. In that precinct?—A. Yes, sir.

Q. How many days was the registration open in that precinct? How many registration days were there prior to this election in that precinct?—A. It seems to me there were two if I ain't mistaken.

Q. Two days for people to appear and register?—A. Yes, sir.

Q. Or one?—A. One day I believe it was. One day; yes, sir.

Q. How many days was the board of revision, consisting of the judges and clerks of election in that precinct, in session?—A. Just one day.

Q. Did you revise the registration, or attempt to do so, in your precinct? Go around from house to house and test it?—A. Yes, sir; two days.

Q. Who was the Democratic clerk?—A. He was a crippled fellow.

Q. W. R. Sharp?—A. Yes, sir.

Q. Did he go with you?—A. Yes, sir; both days.

Q. Did you go from house to house?—A. Yes, sir.

Q. Now, when you went to a house—as, for example, 2627 Olive street—that is in your precinct, isn't it?—A. Yes, sir; that is that barn up there.

Q. A barn?—A. A livery stable.

Q. When you went there, did you take the list of names with you of those persons that were said to live at that number?—A. Yes, sir.

Q. How did you test that list? What did you do with those names when you went to that number?—A. Scratched them off, all but two of them.

Q. Well, what inquiry did you make?—A. I asked if them people lived there, and he said yes—that is, after I asked the name—and I scratched them all off except Downing and Nelson.

Q. E. H. Nelson?—A. That is the man who ran the place.

Q. What sort of a place is it?—A. Livery stable—Marshall's old stable.

Q. Who was E. H. Nelson?—A. He was proprietor of the barn—the livery stable.

Q. At 2627?—A. Olive street.

Q. Who was Joseph Downing?—A. He was the man that done most anything around there—hostler I suppose you would call him.

Q. You left the names of those two men?—A. On the list.

Q. On the registration list?—A. Yes, sir.

Q. Now, did you ask Nelson and Downing and the other 29 people?—A. I didn't see Downing the day I went there. The day he came to register he was there. Sharp brought him down to register there.

Q. Did you ask whether the other 29 names of people said to live at that number actually lived there?—A. Yes. He was laughing. I said, "Ed, them people don't live there," and I struck them off; that is all.

Q. You struck them off the list?—A. Yes, sir.

Q. Whom did you ask that?—A. Nelson himself.

Q. The proprietor?—A. Yes, sir.

Q. What did he say? That they all lived there, or that they didn't?—A. He just grinned a little bit—laughed.

Q. Did he give any reason?—A. No, sir.

Q. Gave no reason?—A. No, sir.

Q. Then you struck off 29?—A. All but 2. How many is on there?

Q. Thirty-one?—A. Then there was 29.

Q. You struck off 29 because you knew they didn't belong there?—A. Yes, sir.

Q. I show you a printed list, register of voters, fifth precinct, Twenty-second Ward, dated October, 1902, and ask you if you can tell how it happens that if you struck off 29 of the 31 names registered at 2627 Olive street, that the whole 26 names still appear on this list as properly registered voters at that number?—A. I can't answer that question. I don't see how they can be there. I took off those names. If they are on there, I don't know about that.

Q. But you know that you struck off all of them except two?—A. Those two names, yes; Downing and Nelson. Downing is an old fellow.

Q. You say there were 29 names stricken off, and you don't know how they got back on the registration list?—A. No, sir.

Q. Now, the polling place was at 213 North Jefferson avenue, wasn't it?—A. Yes, sir.

Q. Isn't 213 North Jefferson avenue a saloon? Wasn't it a saloon?—A. It was only the room where we were; we weren't in the saloon.

Q. What is the name of the saloon, if you know?—A. Fontana's place—Johnny Fontana's.

Q. It is John Fontana's saloon?—A. Yes, sir.

Q. He is the Democratic speaker of the St. Louis house of delegates, is he not?—A. I don't know what he is. He has two or three saloons.

Q. Isn't he the speaker of the house of delegates?

MR. WALSH. He has answered the question. We object to any suggestion on the part of Mr. Richey.

A. I don't know his politics. I only know he is Fontana. It was in the wine room where we were.

Q. Now, was the saloon in the wine room, in which the election was conducted, connected by an opening or any such way with the polling place?—A. Well, the front door was open in that place there. People were coming in. We had one door closed and one open on the corner. It was next to laundry office. There is just one step to get into the laundry office.

Q. Was there a passageway on election day from the polling place into the saloon?—A. Well, you could step across the hall; there is a kind of a hall door and people go past going up there. There was a hall there.

Q. How far, about, was it from the polling place to the saloon?—A. Them halls are about 6 feet wide, I guess; maybe a little wider.

Q. Was there an opening from the polling place into the hall?—A. Well, the back door—there was a door there, hanging there; a screen door.

Q. Was there an opening there so that a person could pass from the polling place into the saloon and from the saloon back into the polling place?—A. Yes; by going through the hall.

Q. By going through the hall, about 6 feet wide?—A. Yes, sir; 6 or 8 feet wide.

Q. Was the passageway free or open for the accommodation of people who wanted to make that trip on election day?—A. Yes, sir; they could open the door.

Q. Was the door closed or—?—A. One of them willow doors—hanging doors.

Q. A swinging door?—A. Yes, sir.

Q. No lock on it?—A. No, sir.

Q. And people passed from the polls into the saloon and from the saloon back into the polls freely on election day?—A. I couldn't tell whether they went into the saloon or went past. There was a house upstairs; that is the only way they can get in there. I can't say whether they went into the saloon or went upstairs. It is the same entrance off Jefferson avenue going into the saloon or going upstairs. There is people who live there.

Q. Did you see the people on election day pass from the polling place into that hallway?—A. No; they would come in off Jefferson avenue.

Q. But any people—did you see any people pass from the polling place into that hall way?—A. O, there may have been two or three, something like that. People generally went out the way they came in.

Q. Were there policemen all about the polls there that day?—A. Yes; all day. Never left there at all, outside of their going to the closet or something.

Q. Who were the policemen?—A. I don't know their names.

Q. Were they the regular policemen that on other days were upon that beat, or were they strange policemen, imported for election day from another part of the city?

MR. WALSH. We object to the nature of the question, as it is evidently intended to cast a reflection on the appointment of these policemen, which is absolutely uncalled for, and it is frivolous in its nature as a question.

A. They were regular policemen in uniform. There was two of them all day long.

Q. Were both of them on the beat?—A. I don't know. I ain't acquainted with them policemen up there.

Q. Were they the regular policemen that were on that beat on other days?—A. I don't know if they were or not; I don't think they were.

Q. Were the policemen in the polling place on the day of election?—A. All day.

Q. All day long?—A. Yes, sir.

Q. Did they pass out of the polling place into the hall way?—A. No, sir. If they went out, they went out on Jefferson avenue. They never both went out together; one staid there and the other went out, unless they were called somewhere.

Q. Was the saloon open on election day?—A. Yes; I guess the saloon was.

Q. Going back to the matter of testing the registration, did you go to 2644 Olive street?—A. Yes, sir.

Q. Did you have a list of the names?—A. Yes, sir; I had it on the books.

Q. Registered from that number?—A. Yes, sir.

Q. They were all on the— A. We had two books.

Q. On the book that had been furnished you?—A. Yes, sir; we had two books.

Q. When you got to 2644 what did you do?—A. Asked if the people lived there, and she said yes.

Q. Whom did you ask?—A. I don't know who it was—the landlady.

Q. It was some woman?—A. Yes, sir.

Q. You rang the bell and this woman came down, and you asked whether these people lived there?—A. Yes, sir.

Q. Did you read the whole list off?—A. Yes, sir.

Q. To her?—A. Yes, sir.

Q. She said yes?—A. Yes, sir.

Q. You made no further investigation than that; you simply took her word?—A. That is the best we could do.

Q. That they lived there?—A. Yes, sir.

Q. You don't know whether she had told you the truth or a falsehood, do you?—A. No, sir; I don't.

Q. Now, did you at any of these places, in this testing of the registration list in the precinct, ask the people at the various houses where you visited to give you the names of the men who lived there?—A. Just called the names off and asked them if they lived there. It was either yes or no.

Q. You called the names off invariably first?—A. Yes, sir.

Q. Now, there are 19 names registered from 2601 Olive street?—A. Yes; that is a hotel and drug store combined there—Garni Hotel.

Q. Who gave you the names there?—A. I guess it was the clerk up there; it was a woman.

Q. A woman?—A. Yes, sir.

Q. Now, at 2608 Locust street, where there are 32 names appearing on the registration list—do you know what business is conducted there?—A. Well, it is a doctor's office and a rooming house, I think. It must be a rooming house because Mr. Porter lives there, a lawyer—been living there two or three years.

Q. They told you there at that number that these 32 people lived there when you asked them?—A. Yes, sir.

Q. You left their names on the registration list because they told you that?—A. Certainly; yes, sir.

Q. No. 2642 Locust street, where there are 7 people registered—do you know what kind of a house that is?—A. I don't remember now.

Q. Do you know the premises 2601 Olive street?—A. Yes; that is a hotel.

Q. Hotel Garni?—A. Yes, sir.

Q. Do you know the premises 2617 Olive street?—A. Yes, sir.

Q. Where there are 14 persons registered?—A. Yes, sir.

Q. What is the number?—A. I don't know if there is 14. I know 2617; I had a room there a year and a half ago.

Q. What is it—a rooming house?—A. Yes, sir.

Q. Do you know whether that number of people lived there on election day?—A. No, sir; I can't say. There is generally quite a few men roomers there. That is a rooming house, and they have been rooming there quite a while. I am acquainted with some of them, Fall and Nichols—John Fall and Nichols. That is where Sharp lives, too.

Q. William H. Sharp?—A. Yes, sir.

Q. C. H. Nichols?—A. Yes, sir.

Q. Do you know Jacob Brill? Does he live there?—A. No, sir; the number must be wrong. Brill lives down further. He is a tailor out there.

Q. 2609?—A. Yes, sir; Jacob Brill.

Q. Has he a tailor shop?—A. Yes, sir.

Q. How many people live there at that number?—A. I don't know exactly, now.

Q. Except Mr. Brill?—A. He lives down stairs; there is three floors there, you know. Brill lives back of the shop. Been living there four or five years, I guess.

Cross-examination by Mr. WALSH:

Q. You made a careful canvass of that precinct?—A. To my knowledge, yes, sir.

Q. And you performed your duty as nearly as you could?—A. Yes, sir.

Q. Under what you understood to be your rights under the law?—A. Yes, sir.

Q. And in asking whether persons lived at a house you pursued exactly the same method as is used by United States letter carriers when they have mail?—A. Yes, sir; if they said they lived there, that is the best I could do.

Q. And everything, as far as you know, was carried on regularly according to law?—A. Yes, sir; no trouble, not there. Not a word of any kind.

Q. On election day was there any irregularity or any effort on the part of anyone to vote who had no right to vote?—A. No, sir.

Q. Did you have any difficulty of that description?—A. Not a word.

Q. On election day?—A. No, sir. Things went on nicely; better than we expected.

Q. The votes were properly counted and returns properly made?—A. Yes, sir; to my knowledge.

Q. According to what you understood to be the law?—A. Yes, sir.

Q. Now, this opening that Mr. Richey has referred to from the polls to the saloon, that was an entrance?—A. To the house upstairs. They stepped out upon Jefferson avenue. Like this is the hall, about 6 by 8 feet I guess, and there is the steps, there is no way to get past besides the steps.

Q. They had to go through this polling place?—A. Yes, sir.

Q. That is the only way to get upstairs?—A. Yes, sir.

Q. You know, don't you, that it is a very difficult thing to get a place for the polls there in that neighborhood?—A. It is, right there; everything is filled up.

Q. All the stores are occupied and it is very hard to get anybody to rent a place temporarily, such as a polling place and registering place?—A. Yes; that is the only place around there that is suitable.

Q. Are you familiar with the method generally used in sending policemen to the polls on election day? Isn't it a fact that as a rule the men who are assigned to the polling places are not the men who walk the beat regularly, but men from outlying districts who are called in?—A. As a general rule I find it that way; yes, sir.

Q. And the men who are regularly patrolling the beat continue to do it during the election?—A. It seems so.

Q. And these men in the polls are usually extra men, policemen assigned to special duty?—A. Yes, sir; they said they had to work so much overtime.

Q. Some of them had to be up twenty-four to thirty-two hours at a stretch?—A. Yes, sir.

GEORGE P. KOLB, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. What is your name?—A. George P. Kolb.

Q. Where do you live?—A. No. 317 South Twenty-third.

Q. You were one of the judges of election of the seventh precinct, Fourteenth Ward, on Tuesday, November 4th last?—A. Yes, sir.

Q. What is your business?—A. Moving and express business.

Q. How long have you lived in St. Louis?—A. Nine years past.

Q. And how long in this seventh precinct?—A. Nine years past; ever since I lived in St. Louis.

Q. Do you know how many registration days there were in the Fourteenth Ward for November 4th election?—A. One day for registering.

Q. Only one day?—A. Yes, sir; one day for the people to register.

Q. Where was the polling place on that day?—A. 30 South Jefferson avenue.

Q. How far was that from the nearest saloon?—A. Just across the street.

Q. Was the saloon across the street open all day?—A. The side door.

Q. Side door was open all day?—A. Yes, sir. You had to go through a vacant restaurant and then through into the saloon.

Q. But the saloon was open for the sale of liquor on that day?—A. Yes, sir. You could go in from the restaurant into the saloon.

Q. How many police officers were at the polls?—A. Three.

Q. Do you know who they were?—A. I know one of them named Sullivan.

Q. Did you know the other two?—A. One of them has been an officer there, one of the others. The third party, I don't know as I ever seen him. I don't know where his beat is.

Q. But this polling place was not on his regular beat; that is, he didn't belong on the beat regularly?—A. Not that I know of. I can't be sure because I don't—I ain't very well acquainted with the officers there.

Q. But he was a stranger to you?—A. Yes, sir.

Q. You don't know his name?—A. No, sir.

Q. He was an extra officer, wasn't he?—A. Yes, sir.

Q. Were those officers in the polling place all day?—A. Yes, sir; in and out.

Cross-examination by Mr. WALSH:

Q. You were a Republican judge?—A. Yes, sir.

Q. Was there any trouble, any difficulty, at the polls that day?—A. Only—there was no trouble, really, only that thing went on there—there was people coming in there that had no business in there.

Q. But did they try to vote or interfere with the voting?—A. Well, they did, in one way they did; they came in and told people how to vote. We called them down, kept calling them down, and stopped it. They had no business in there.

Q. Who were they?—A. I don't know who they were. One party there—I know he didn't live in the precinct—didn't even live in the ward.

Q. Were they, any of them, candidates for any office?—A. No, sir.

Q. So far as you know there was no fraudulent voting at that precinct?—A. No, sir.

Q. Everything was regular and carried on in accordance with the law?—A. Everything excepting that; yes, sir.

SIGMUND L. KRAMER, of lawful age, being produced, sworn and examined, on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY.

Q. What is your name?—A. Sigmund L. Kramer.

Q. Where do you live?—A. 1618 Market, Burlington Hotel.

Q. What is your age?—A. My age?

Q. Yes.—A. I will be 52 next coming March.

Q. In what business are you engaged?—A. Hotel business.

Q. How long have you resided in St. Louis?—A. Thirty-three years.

Q. You live in what precinct and ward?—A. Fourteenth Ward, third precinct, I reside now.

Q. What position do you have in the Republican party, if any, and what position did you have in the months of October and November of the present year?—A. I was central committeeman from the Fourteenth Ward in the Republican city central committee.

Q. Are you familiar with the political conditions in the Fourth Ward that obtained on election day?—A. Yes; I lived there twenty years; I have been active in politics twenty years in that ward.

Q. And what did you do on Tuesday, November 4, election day?—A. I drove from precinct to precinct, as it was my duty, with my buggy.

Q. In what ward?—A. In the Fourteenth Ward.

Q. How many precincts are there in that ward?—A. Eleven precincts.

Q. Did you visit them all on election day?—A. Yes; I visited them five or six times through the day; kept it going all day.

Q. Do you know whether the saloons were open or closed election day?—A. They were all open.

Q. Do you know how many days the books were open in the Fourteenth Ward for voters to register prior to the election of Tuesday, November 4?—A. One day for registration.

Q. Do you know of any repeating that was done at that election?—A. I think there was considerable done.

Q. What did you see that indicated repeating?—A. When I got up to precincts 5 and 6—I got up there and I met a gang of colored men under the leadership of a man named Jackson.

Q. What precinct was that?—A. Precincts 5 and 6. You could see both polling places. They were at precinct 5 at the time.

Q. Under whose leadership were they?—A. Under a man named Jackson, a colored man. I was told that; I didn't know him personally; he was pointed out to me; I was told that he was employed as a deputy marshal.

Q. Deputy city marshal?—A. That is what I understood.

Q. Under Mr. James Scullin?—A. I suppose under Scullin.

Q. Mr. Scullin is a Democrat?—A. I believe so.

Q. What were these men doing that you saw?—A. They were trying to get in; and I guess they knew me and scattered. They did not go into the polling place while I remained around. They walked away, and this colored deputy marshal also disappeared. I had men stationed there, and afterwards—I couldn't remain there all the time—and when I drove away and came back there the man I had stationed there said they all came back into the polling place and probably voted. They had no business otherwise in there.

Q. When they saw you they scattered?—A. Yes, sir; scattered for some reason.

Q. They knew you?—A. Knew me, I guess.

Q. Knew your purpose in being there?—A. Yes.

Mr. WALSH. We object to all this hearsay testimony on the part of the witness.

By Mr. RICHEY:

Q. Did you see any of those repeaters getting ready to repeat? What did you see them doing?—A. I seen in precinct 2—I know there was two young fellows, colored fellows—three or four went in there, and I know they were repeaters.

Q. How do you know that?—A. Why, I can tell that. I went and requested a Republican judge to make the arrest, and he seemed to be afraid, not getting the protection from the police that was necessary.

Q. The police officers?—A. That is what he told me.

Q. What was his name?—A. He said he was afraid of these men; was afraid of them; that he could not get any protection. That was a general claim of all the judges; they were afraid of being assaulted by the Democratic judges and some hoodlums that came around. That is the general complaint of the Republican judges of the Fourteenth Ward; that they didn't get protection. Simply let the thing go, and be good fellows.

Q. Be good fellows and submit?—A. Submit to anything the other side will do.

Q. Do you know what they were afraid of?—A. Why, assault. Generally the majority of them, when I seen them—I went around and seen these men when they were appointed and talked to them. They said, "Well, we have no protection. What can we do? There is a lot of 20 men coming around those polls and we have no protection." That is the cry of the Republican judges. Business men refuse to serve in the capacity of judge any more in that ward. I have been active in the ward for years, and under the present system we can't get business men to serve. We try the Market street men and other business men, Republicans, and they refuse under the circumstances. Wouldn't act any more.

Q. Refuse to act as judge and clerk?—A. Yes, sir, every one.

Q. For what reason?—A. They don't want to be going in there and probably be assaulted or have dealings with such men as the other side put in.

Q. What other side?—A. The Democratic side.

Q. Did you see any men changing clothes?—A. Yes, I seen it.

Q. And hats on election day?—A. I came along on Walnut street near precinct 2, and I seen four men in an alley just changing coats right in an alley. I seen it myself.

Q. Was there much drunkenness or lawlessness on election day in the Fourteenth Ward?—A. No, sir; I didn't see much.

Cross-examination by Mr. WALSH:

Q. You have been active in politics for about twenty years, Mr. Kramer?—A. Yes, sir; in the same ward where I live now.

Q. Do you know anything about a convention that was held by the Republicans at Chatsworth Hall on the 4th day of October of this year?—A. I do.

Q. Did you attend that convention?—A. I attended it; yes, sir.

Q. Were you a delegate to the convention, or did you hold a proxy?—A. I believe I held a proxy; I was not a delegate, to my knowledge.

Q. What occurred at that convention?

(Objected to as irrelevant and immaterial, and as being asked for the purpose of killing time and filling the record.)

Q. Go ahead, Mr. Kramer; what occurred at that convention?—A. They took a recess; I didn't stay to the end; I was there in the morning. They took a recess until the afternoon; I didn't attend any more in the afternoon. They took a continuance, I believe, or adjourned the convention to some future date; I don't know when it was—not exactly the date, but afterwards, to reassemble.

Q. Did you ever attend any other convention held for the purpose of nominating a Republican Congressman in the Twelfth district?—A. I attended a convention to meet at some future date; I forget the date, exactly; I don't remember that.

Q. Did you attend the convention that met the Monday following?—A. Yes, sir.

Q. Where did you go to attend that convention?—A. Merchants' League Club, on Pine street, I think it was.

Q. Did you go to Chatsworth Hall?—A. Yes; I went there Saturday—I guess it was—or Friday.

Q. Did you go back there Monday?

(Objection renewed.)

A. No; I went out to the other place—Merchants' League—where it was called to meet.

Q. What occurred there?

(Objection renewed.)

A. Mr. Wagoner was nominated and Mr. Loffhagen nominated.

Q. Was Mr. Wagoner nominated?—A. I think so.

Q. Isn't it a fact that E. H. Loffhagen was nominated for Congressman for the long term?—A. He was at that convention.

Q. And the convention decided they had no right to nominate Mr. Wagoner for the short term?

(Objection renewed.)

Mr. WALSH. We object to the constant interposition on the part of the attorney for the contestant "I renew my objection," it being well understood in law that an objection made to questions along a certain line in one place continues throughout the record. That the objection which is being constantly made by Mr. Richey is made for the purpose of annoying counsel, for interrupting the witness, and for taking the witness's mind from the question that he is being asked, and for the purpose of consuming time and encumbering the record.

Mr. RICHEY. I renew my objection.

Mr. WALSH. The same statement will be made to the last remark by counsel for contestant.

Q. Isn't it a fact that Mr. Wagoner was indorsed only in his candidacy for Congress?—A. There was something said about it, something about a petition; that it was unlawful to nominate him. He was indorsed, probably.

Q. You did not regularly nominate him?—A. I can't say; I didn't take that much interest. I was simply a delegate; I didn't know if you call it a regular nomination or an indorsement, but he was our candidate; that is all there is about that.

Q. Did you indorse the candidacy of Mr. Geo. D. Reynolds at that convention?

(Objected to as irrelevant and immaterial.)

A. I don't think Mr. Reynolds's name was mentioned at that convention.

Q. So far as you know, Mr. Reynolds never was nominated by any convention of delegates called for that purpose, was he?—A. I believe he was.

Q. Where was he nominated by a convention?

Mr. RICHEY. I give notice to counsel that these questions with reference to Mr. Reynolds will not be objected to, on the theory that the testimony that he is trying to elicit with reference to Mr. Reynolds will be used by the contestant in the contested election case of Geo. D. Reynolds against James J. Butler for membership in the Twelfth Congressional district in the Fifty-eighth Congress.

Mr. WALSH. Attorney for the contestee will give notice to the attorney for the contestant in the contested election case of Geo. D. Reynolds against James J. Butler for a seat in the Fifty-eighth Congress, that this investigation is being held under a notice issued by the attorney for the contestant, Geo. C. R. Wagoner, and that no evidence that is being taken in this case will be used in that case so far as the attorney for the contestee is concerned.

Q. Under what notice was the convention held which met at Chatsworth Hall; was there a notice published and sent out?—A. I guess so. There was a general call under the law, I suppose. I wasn't Congressional committeeman or chairman. I suppose they know how to proceed to call a convention under the law of the State of Missouri. I can't tell you.

Q. And you don't know whether or not the call was in accordance with the law or not?—A. No, sir; you will have to see the chairman of that committee; I can't say.

Q. Do you know whether or not Mr. Loffhagen remained a candidate for Congress in the Twelfth Congressional district?—A. Well, he withdrew in favor of Mr. Reynolds, and that settled the contest, I suppose. Mr. Reynolds was our regular nominee.

Q. Do you know anything about the reorganization, or attempted or alleged reorganization, of the Republican city central committee of the Republican party?

(Objected to as irrelevant and immaterial, and introduced for the purpose of killing time.)

The WITNESS. Do you want me to answer that question?

Mr. RICHEY. Yes, sir.

Mr. WALSH. We again object to the statement interposed by Mr. Richey, as the question just asked by the witness shows exactly what the object of Mr. Richey is. It is simply intended to confuse the witness, to consume time and encumber the record, and has no ground in fact.

Q. Yes, you will answer the question, Mr. Kramer.—A. I guess you all know that there was some trouble with regard to the old central committee. I was a member of the new committee elected under the law, under a call. I don't know anything regarding the old committee; I was not a member at the time.

Q. You were not a member of the old committee?—A. No, I was not. I was elected in the new committee.

Q. When were you elected?—A. I don't know the date. I think it was September or October; I can't say exactly, unless I go back and look it over.

Q. Were you elected at the primaries that were held under the primary law? Under—A. Under the primary law.

Q. And that primary was called by the minority of the old Republican committee that you have referred to, wasn't it?—A. It was called by the election commissioners.

Q. That was—A. By the majority of the election commissioners; they called the primaries.

Q. And the primary was called at the suggestion of some 10 or 15 of the old Republican central committee, wasn't it?—A. Well, I suppose it was; but we had to go by the dictation of the Democratic election commissioners, and they called the primary. We went in and elected our men and that is all about it.

Q. What was the name of the ward committeeman—central committeeman?—A. In my ward before my time?

Q. Yes.—A. W. H. Clarkson; been committeeman for ten years before my time.

Q. And he was ousted by the State committee, backed up by a minority of the city central Republican committee?—A. I believe there was something to that effect; yes, sir.

Q. And Clarkson was very sore as a result of his treatment, wasn't he?

(Counsel for contestant objects to giving the question of Mr. Clarkson's soreness any consideration, as it is not a part of any issue involved in this case.)

A. Well, I suppose he didn't think it was right; that is all he told me. He didn't think it was right that they ousted him from the position.

Q. He felt very badly about it.—A. Well, I don't say that. He knew we were going to elect our man. The new committee was only in effect for four or five days, and the Democrats were responsible for that.

Q. The Democrats were responsible for that?—A. The commissioners. They thought they would make a point on the matter against us; that is all.

Q. Isn't it a fact that the minority of the Republican central committee ousted the majority and then appealed to the State Republican committee?

(Objected to as irrelevant and immaterial.)

A. Well, I think the Democratic election commissioners seen the point, and the leader, Hawes, he simply ousted the majority of the Republican committeemen. That is my belief now; that is all I say, Mr. Attorney, in the matter.

Q. Do you mean to say the Democrats ousted a majority of the city Republican central committee?—A. By their action. By them two commissioners deciding they recognized the minority committee for the primaries, naturally they were responsible for it—contempt of court, the supreme court—that you all know; that is the way I look at the matter, gentlemen.

Q. Isn't it a fact that the State Republican central committee came here and upheld the action of the minority of the city central Republican committee?—A. I believe that is a fact.

Q. And that the Democrats had nothing to do with that part of it at all?—A. Why, it was left in the hands of the two; the three commissioners and the two Democratic commissioners recognized the minority and we had to submit to that. We went to the primary; we had to submit; that is all.

Q. But the application was made by the minority of the city central Republican committee after the State central Republican committee had recognized them; an application was made to the board of election commissioners for a primary on their call, wasn't it?

(Objection renewed.)

A. I believe so; I didn't follow it up so close; I wasn't a member of the old committee, you know.

Q. The majority of the city central Republican committee made application to one of the judges of the supreme court to restrain the election commissioners and the minority of the city central committee from acting, didn't it?—A. I believe that is the fact; yes, sir.

Q. And the order was issued by that judge?—A. Yes, sir.

Q. Which the city central committee ignored and proceeded to have the primary called in spite of the restraining order that had been issued?—A. Well, I think it was the election commissioners did it in spite of that. I think they were in contempt of court.

By Mr. RICHEY:

Q. The Democratic election board?—A. Them two; yes, sir.

By Mr. WALSH:

Q. They acted with the minority?—A. They acted with the minority of the so-called Republican committee.

Q. And that is the minority of the committee which called this primary under which you were elected?—A. I believe so, if you want it that way.

Q. And the action of the Republican city central committee, so constituted, was very generally disliked by a large number of the Republicans in the city, wasn't it?—A. Well, that may be. I have a right as a partisan and a citizen to have my choice before the primaries, but when the primaries are over and the party has decided I fall in line. That is my policy.

Q. But it was generally understood that those men who had been ousted—those committeemen who had been ousted—were pretty roughly handled at the primaries, wasn't it?

(Objection renewed.)

A. Probably in some wards. In my ward I was handled all right.

Q. You were on the side of the new committee, weren't you?—A. Well—

Q. You were the candidate of the new committee against Clarkson, weren't you?—A. Clarkson wasn't a candidate. Mr. Will Moore and myself were candidates.

Q. Will Moore? He was on the new committee?—A. For a few days. The election commissioners at the time recognized—Will Moore was in the committee for a few days.

Q. They didn't recognize Clarkson at all?—A. No, sir; not at that time.

Q. Wouldn't allow him to be a candidate?—A. Why, he didn't want it.

Q. Isn't it a fact that in those primaries there was a great deal of very rough handling of the men who were endeavoring to support one side or the other at the Republican primaries?—A. Not in my ward, there wasn't.

Q. You know, for instance, that Mr. Geo. R. Williams, a young attorney, had his teeth knocked out at the Republican primary, don't you?—A. In my ward?

Q. No.—A. I don't know anything about it.

Q. At the Republican primaries?—A. I simply looked after my ward.

Q. Don't you know there was a number of assaults in these Republican primaries, in which men—Republicans who represented one faction or the other—were badly used up?

(Objection renewed.)

A. I can't say. I don't know anything about it. There was nobody assaulted in my ward; I don't know anything outside of my ward.

Q. Don't you know that this particular primary caused, in the Republican party, more friction and more soreness than had been developed since 1898?

(Objected to as irrelevant and immaterial.)

A. Well, I don't know; it may be at the moment, but everything subsided; the Republicans, to my knowledge, were together. They're like you Democrats—you fight all together; I think it is the same thing. With regard to my ward, we got together. We were all friends after the thing was over.

Q. Don't you know that Mr. Loffhagen, in an effort to try to secure some kind of harmony, made the tender to Mr. Reynolds that they both withdraw and let the party nominate some one else?

(Objection renewed.)

A. I read it in the newspapers, that is all I know. The newspapers are not—

Q. Do you know whether or not the Merchants' League Club met and denounced Reynolds in a motion?

(Objection renewed.)

A. I didn't attend the meeting, and I can't say.

Q. Did you hear of that?—A. Well, I seen it in the newspapers.

Q. You say that the Merchants' League Club did denounce—A. I read it in the newspapers, yes. I wasn't at the meeting, so I can't say. If it is on record on the books up there or not, I can't say.

Q. Are you a member of either of the clubs?—A. Yes, sir.

Q. Republican clubs?—A. I am a member of the Merchants' League Club.

Q. Are you a member of the St. Louis Republican Club?—A. No, sir.

Q. Are you a member of the Good Government Club?—A. No, sir.

Q. You know that there are three factional clubs in the Republican party.—A. Well, you might—I don't see where there is any faction. We have a right to have any kind of club. They are Republican clubs, and probably working in the interest of the Republican party.

Q. Well, it was a well known fact that the Merchants' League element were supporting Geo. C. R. Wagoner and E. H. Loffhagen, and the St. Louis Republican Club were supporting Geo. D. Reynolds?—A. They did, right before the primaries. That may be all true.

Q. Wasn't it after the primaries they did that?—A. No; the Republicans got together. They simply had one candidate; Loffhagen withdrew and Reynolds was our candidate.

Q. Was that before the primaries?—A. No; after the primaries.

Q. A long time after the primaries, wasn't it?—A. O, I guess not so long; I forget how many days exactly.

Q. Well, Mr. Loffhagen didn't withdraw until after October 16, did he?—A. Well, that may be so; I don't know exactly; he withdrew, that is all I know.

Q. A long time after the primaries?—A. Well, you might call it long; I would call it a few days. You might call it long.

Q. When were the primaries held?—A. I guess in October, about the 5th or 6th; I don't know exactly.

Q. You know the convention which you attended was held Saturday, October 4?—A. I think it was the 4th or 5th. It was Saturday night.

Q. This convention which you attended nominated Loffhagen, and was on the 6th, wasn't it?—A. I think so; it was Monday.

Q. And ten days after that—after Loffhagen had received the nomination for the long term—he withdrew?—A. I guess; I don't know how many days; I know he withdrew—that is all I know.

Q. There was no convention that you attended that nominated Wagoner for the short term, was there?—A. I tell you he was nominated there, if you call it endorse-

ment or not; he was nominated by the convention and also nominated by petition to make the thing stick; that is all I know; I can't say anything more about that.

Q. Do you say he was nominated at that convention on the 6th?—A. I think so; I think he was nominated, I can't say. The delegates voted for him, I know that.

Q. Didn't they vote to endorse his candidacy?—A. I can't say that; he was nominated, if you call it an endorsement or not, I don't know exactly. I know he was nominated in that convention, and also by petition, because I signed the petition.

Q. You signed the petition? When did you sign that?—A. I think on the same day; on the same afternoon or the next day, I can't say exactly. It was shortly after he was nominated by the convention.

Q. You signed his petition?—A. Yes, sir; to become a candidate by the petition, because as much as I understood the law the time was up to nominate men. I can't say any more. That is all the interest I took in the matter in that respect.

Q. Did you get one of these letters which I will read to you?

(Objected to as irrelevant and immaterial.)

“ST. LOUIS, October 3, 1902.

“DEAR SIR: Yielding to the continued solicitation of numerous friends, I have consented to become a candidate for Congress for the short term. The election will be held on Tuesday, November 4th, next. It will be physically impossible for one person to cover the entire district in the short space of time allotted for the campaign; and, therefore, presuming upon your friendship and political affiliation, I ask you to assist in your ward for the ensuing few days as committeeman therefor. Will you kindly indicate by return mail your acceptance of this position? I fully realize that it is asking a great deal at your hands, and my only excuse for doing so is my personal ambition and the brief amount of time you will have to give in furtherance of it.

“Thanking you in advance for any courtesies, I am,

“Very truly, your friend,

“GEO. C. R. WAGONER.”

Q. Did you get one of these letters?

(Objected to as being asked evidently for the purpose of killing time and occupying space, and because no testimony is sought bearing on the real issue involved in this contest.)

A. I didn't receive—

MR. WALSH. Considering the fact that the attorney for the contestee has been consuming, on an average, about three hours every day in the actual taking of testimony, his statement that we are endeavoring to consume time is absolutely absurd and ridiculous on the face of it, and shows that the only object that he has for making these continued objections is for the purpose of irritating the attorney for contestee and confusing the witness, who is not a witness placed on the stand by the contestee.

MR. WALSH. Now, answer the question, unless Mr. Richey has some more talk to speak.—A. I didn't receive any such letter, to my knowledge.

Q. During the last twenty years you have been in politics you have had an opportunity to become very familiar with repeaters?—A. Yes, sir; up in my ward, anyhow.

Q. Yes. You say that you can tell them when you see them?—A. I know the class of men that does the work.

Q. Where were you living at the last Congressional election?—A. In this last one?

Q. Yes, sir.—A. In 1902 or 1900?

Q. Where did you reside?—A. In the same ward where I resided twenty-one years; always in the same place.

Q. Where was that? Weren't you at 2726 Olive street?—A. No, sir; never was.

Q. What is your business?—A. I am in the hotel business.

Q. Were you engaged in the butcher business at that time?—A. Never was.

Q. Were you in the same location then that you are now?—A. Yes, sir. Two years ago, when Butler ran, I lived already at the hotel. In former times I lived at 2131 Walnut; lived privately. I was out of business a good many years.

Q. But the time you—at the last Congressional election in 1900 you were registered from twenty-one hundred and something, weren't you?—A. Yes, 2131; because—

Q. As a matter of fact, you were living at the hotel?—A. Well, my wife and myself and my family lived at 2131, only at that time.

Q. You were registered from one place and living at another at that time?—A. No, sir; I simply run a hotel, that is all, and they lived there at that time. You see I occupied a second floor at my building, 2131 Walnut; I did at that time in 1900.

Q. Isn't it a fact that you registered from one place when you were actually living in another, and didn't you for that reason refuse to act as judge of election in the

precinct which you were registered from?—A. Well, I tell you I resided at 2131 Walnut with my wife and my children at that time, and I was running the Burlington Hotel at the same time, but not living there. That is my business place.

Q. Didn't they refuse to let you act as judge at that time for the reason that you were registered in the wrong place?—A. No, sir; I didn't—nobody refused. Clarkson never asked me to act as judge in that precinct.

Q. Weren't you refused at that time? Didn't you go there to vote?—A. Yes, sir; they accepted my vote too, you can bet your bottom dollar on that. I never—yes, I voted.

Q. Didn't you have a difficulty at that election in connection with your vote?—A. No, sir; not a bit; my ballot was accepted.

Q. You have stated in connection with the judges and clerks that you can't get business men to serve.—A. No, sir.

Q. It is absolutely impossible for you to get—A. I tried it.

Q. To get business men to serve?—A. Yes, sir; I tried it, and know all about it.

Q. And they refused to serve?—A. Yes, sir.

Q. What reason did they give?—A. I have told you that they claimed they didn't want to get in with the class of men; they were afraid of assault and all those things. They got disgusted. We used to have pretty good judges, but under the present custom—on Market street, precinct 4, I seen six or seven business men and asked them and begged them to serve; they refused. In No. 10 a man named Koch refused, and all along the line.

Q. In No. 4 who did you speak to that refused to serve?—A. I saw Mr. Beyser and Mr. Andreas, and all along the line.

Q. Go ahead; you spoke of six or seven.—A. Yes, sir.

Q. Who are they?—A. Well, Mr. Schmidt, he runs a business there; and another man that runs a grocery store.

Q. What is his name?—A. I can't think of his name just now; right next to Andreas; runs a grocery and saloon; lived there a good many years; I seen all those men.

Q. Who else? You have named Beyser and Andreas and Schmidt.—A. Yes, and this other groceryman, I forget his name.

Q. A grocery next to Andreas?—A. Yes, sir; and I asked Mr. Shine; he runs a saloon.

Q. Who?—A. Frank Shine; he refused to serve.

Q. Who else; in precinct No. 10, who did you say refused to serve?—A. Mr. Koch; he claimed—he wouldn't serve.

Q. Who else?—A. I seen a groceryman named Yeager; he refused.

Q. Who else?—A. I spoke to the man that runs the Wedge House; he refused.

Q. Who else?—A. I went to precinct 6 and seen several business men; they all refused.

Q. Who did you see in precinct 6?—A. Several men that run business there.

Q. Who are they?—A. One is—I got his name but he was rejected; he runs a grocery at Twenty-third and Clark avenue. I can't think of those names—Koonz, the old man used to be our judge, and he said to see if we could get his son to serve, but there was some charges preferred. I appointed him as clerk, but he didn't serve because there was charges brought in the City Hall against him. Then I seen a gentleman that runs a grocery store at Twenty-second and Randolph, and he refused. I have been driving around that ward for five days to find pretty good men that I thought would serve, and I couldn't.

Q. What is Beyser's first name?—A. John Beyser, I think.

Q. Where does he live?—A. 200—I can't tell exactly the number; between Twentieth and Twenty-first on Market. John Beyser—a saddlery establishment there; in former years he was our judge.

Q. Mr. Andreas, what is his name?—A. I can't say, exactly, except I look it up.

Q. Where does he live?—A. On the other side; lives about 2017 or 2013 on Market. Mr. Bode, that is a man I couldn't think of; he runs a grocery.

Q. What is Schmidt's first name?—A. Ambrose. He runs a saloon.

Q. Where?—A. Same block—2028, about. I can't say, exactly.

Q. Market?—A. I think it is; it is 2026 or 2028.

Q. Bode, is he a saloon man?—A. No, sir; he runs a grocery.

Q. What address, next to Andreas?—A. Yes; I can't say exactly—2017 or 2019.

Q. Frank Shine, is he a saloon man?—A. Yes, sir.

Q. Where?—A. Twentieth and Market. Farmyard, 2004, I think; it is an empty lot.

Q. Mr. Koch—what is his first name?—A. Julius Koch, I think; runs a tin and stove business out on Manchester avenue. I forget his number.

Q. What is Yeager's business?—A. He runs a grocery on the same street, corner of Twenty-seventh, I think, Leffingwell and Manchester. I spoke to him.

Q. The Wedge House is a saloon also? Is that just west of Jefferson?—A. No, sir; in the wedge.

Q. Between Manchester—A. Manchester and Laeclde.

Q. What is Mr. Koonz's business?—A. Grocery.

Q. Grocery and saloon?—A. I believe he has a saloon connected with it.

Q. At Twenty-third and Clark?—A. Yes, sir.

Q. What is his first name?—A. I think it is John Koonz; the old man.

Q. Who is that at Twenty-second and Randolph; the grocery, who runs that?—A. Let me think a minute. I can't think of his name now.

Q. Is it a grocery and saloon at Twenty-second and Randolph?—A. Yes, sir; grocery and saloon. In former times he served. I asked him.

Q. Mr. Beyser is a saddler?—A. Yes, sir; runs a saddlery establishment.

Q. Andreas?—A. He runs only a grocery.

Q. And saloon?—A. No, sir; only a grocery. Bode and him only run a grocery.

Q. Ambrose Schmidt runs a saloon?—A. Saloon simply, yes, sir.

Q. Yeager has a grocery and saloon?—A. No, sir; I don't think Yeager—it is Yoger, that name—he runs a grocery; no saloon connected with that to my knowledge. He was recommended, and I seen him and spoke to him and he couldn't serve.

Q. So of these 10 men that you saw, five of them were saloon men running saloons?—A. Only one. The other men had saloons connected; they run a grocery besides.

Q. Saloon and grocery?—A. The saloon is a side show, I guess.

Q. But the side shows are compelled to pay the same license as the man that is doing a strictly legitimate, outright saloon business?—A. Yes, sir.

Q. Pay the same license?—A. Yes, sir.

Q. Sell the same class of goods?—A. Yes, sir.

Q. And they are saloon men?—A. Yes, sir; a good class of saloon men.

Q. Now, were those saloons open on this day?—A. I can't say.

Q. You didn't notice—you spoke of saloons that were open?—A. I suppose everybody—it wasn't enforced. I suppose they were open same as anybody else.

Q. So that these saloon men you refer to, they had their saloons running full blast?—A. I suppose like everybody else; I am speaking in general.

Q. No particular difference between them and any other saloon men?—A. No, sir.

Q. Just the same thing, only you consider them more respectable?—A. I had drinks in saloons, I don't deny it. I had drinks myself on election day in the saloons I went by.

Q. Now, did these saloon men or these business men any of them tell you that they were afraid to serve?—A. Well, they felt that way, you know; there was too much bother.

Q. Did they say they were afraid?—A. I don't know; that is their general excuse, that they would be bothered.

Q. They just told you that they didn't want to be bothered by this matter?—A. Yes.

Q. Didn't tell you that they were afraid to go in there and serve as judges and clerks?—A. Told some of my friends.

Q. I am asking you what they told you personally when you went to see them.—A. Yes.

Q. They didn't tell you they were afraid to serve, did they?—A. Some people told me and some didn't.

Q. Which one said he was afraid to serve?—A. Some said they didn't feel like going in there.

Q. Who said he was afraid to serve?—A. I think Beyser. He was there before.

Q. Beyser said he was afraid?—A. Yes.

Q. Did Andreas say he was afraid?—A. No, sir; I don't think he did.

Q. Schmidt?—A. No, sir.

Q. Did Bode say he was afraid?—A. Not to me.

Q. Did Shine say he was afraid?—A. No, sir; he can't see well, he says.

Q. Did Koch say he was afraid?—A. No, sir; he said his business was too superior.

Q. Did Yeager say he was afraid?—A. No, sir.

Q. Did the man at the Wedge House say he was afraid?—A. No, sir; his business—

Q. His business was more to him than serving as a judge?—A. Yes, sir.

Q. Did Koonz say he was afraid?—A. No, sir; but he wouldn't serve.

Q. He sent his son?—A. Yes, sir.

Q. His son did want to serve, but he wasn't accepted?—A. Yes, sir.

Q. Did the man who runs the saloon at Twenty-second and Randolph—the grocery and saloon—did he say he was afraid to serve?—A. No, sir; he didn't want to serve.

Q. Now, of all those that you have mentioned there is only one who said that he was afraid to serve, and he was John Beyser, the saddler, at Twentieth and Market?—A. Yes, sir.

Q. He is the only one who said he was afraid?—A. Yes, sir.

Q. What did he say he was afraid of?—A. Well, too much bother; wrangles with those men. He wanted to attend to business right.

Q. Didn't say he was afraid of assault?—A. Well, it's the same thing.

Q. He didn't say he expected to be killed?—A. Well, I told those men that we would have protection, and that they shouldn't be afraid. I made that statement on my own hook. Still they didn't believe me.

Q. In spite of the fact that you told them and believed that they would get protection?—A. I did. I talked to get them to act in that way. They were discouraged by men going around and talking. They talked it over, and the men I put in were afraid; they told me so, a good many of them.

Q. Just general talk among the Republicans that they were afraid?—A. Yes, generally. You call them here and you will find out.

Q. I want to do it if I can get them here; that is the reason I want their names. Now, the only person out of these that you talked to of these business men who stated that he was afraid to serve was Mr. Beyser?—A. That is the only man; yes. The other men wouldn't say, you know, but that was the general idea among them.

Q. So that your statement that these business men had refused to serve because they were afraid, that was not exactly the fact?—A. Well, it was; it is the fact, but they are not going to tell me; they will tell other people; I heard of it.

Q. Who did they tell?—A. I can't go into detail and tell you just who told—

Q. I want to find out what you know from what you heard.—A. I heard it among active Republican workers. I have heard it all along the line; been so for the last three years.

Q. Who did Andreas tell he was afraid?—A. I can't say. Call Mr. Repscher.

Q. Repscher?—A. Peter Repscher. He resides at 2127 Adams, I think.

Q. And Mr. Schmidt, did he tell anybody?—A. No, sir; I can't say if he told anybody.

Q. And Bode, did he tell anybody he was afraid?—A. Well, a man told me he didn't even vote; he was disgusted.

Q. Who is he?—A. Bode. Adam Bode is the name.

Q. He is a Republican?—A. Always has been.

Q. He said he wouldn't even vote?—A. No, sir; not under the present system.

Q. What is the trouble with the present system?—A. His vote wouldn't be counted anyhow.

Q. What is the trouble with the present system?—A. The Nesbit law and the police law; I blame them.

Q. What is there wrong about the Nesbit law?—A. Oh, you know just as much as I do what is wrong with it.

Q. I do? That is what I want to find out.—A. You know more about it than I do.

Q. What is there wrong about the Nesbit law?—A. Padded registration in the city hall, to some extent.

Q. Go ahead; what else?—A. Judges appointed without knowing who they were, under this system. In former times we knew the judge, and each side picked good men. If they weren't good we could appeal to the circuit judges—to the bench. Now there is no recourse on that matter. There is no penalty hardly attached to any crookedness in election, in regard to judges or anybody else.

Q. Did you appoint the judges in your ward?—A. Yes; I selected them.

Q. They were all appointed?—A. No, sir; 10 men were rejected.

Q. Who were appointed in their places? Men that you recommended?—A. Yes, certainly. I refused first. I wanted to resign. I tell you honestly I wanted to resign after those 10 men were refused. I told them I wasn't able to get any kind of good men that would go and serve.

Q. Did you subsequently get 10 men in their place?—A. I did.

Q. Every judge and clerk that was appointed there was your selection, wasn't he?—A. Yes, sir. I was forced to pick ten men—ten different men, because of the election commissioners.

Q. And you picked ten more Republicans, didn't you?—A. Yes, sir.

Q. Men you knew to be Republicans?—A. Yes, sir.

Q. They were men of your selection, weren't they?—A. I had to take a Democrat in one precinct. I couldn't get anybody, by God! to serve. In No. 4 I had to go and take a kind of a Democrat at the last moment.

Q. What was his name?—A. That is Reedy—Thomas Reedy.

Q. You couldn't get a Republican to serve?—A. No, sir. The only two good men I had in there were rejected by charges read to me and which were not true.

Q. What were the charges?—A. One I appointed there served at former times, and the charges read to me in the election office were that he was nearsighted. I asked them to give me a typewritten copy of those charges, and I never received it.

Q. What was his name? What precinct was he in?—A. Precinct 4. I forget the name now. He is a carpenter.

Q. Was there an affidavit presented to the election commissioners with reference to this man, in stating the charges?—A. No, sir. I'll tell you; I came down there and I was referred to the secretary of the board. The secretary of the board says, "Mr. Kramer, those men are rejected." I told Mr. Koonz—I had a fuss with him in the office there. He simply said, "Mr. Kramer, I am only the secretary of this board." I had a few words with him at the time. I went to the Republican commissioner and I said, "How does that hurt him?" He said, "They were not confirmed." I said, "I refuse to submit to anything of the kind, because I can't find men in the ward under the present system—to supply these men—good men." He said, "Well, you had better try," and all that. I went to the Republican chairman—my statement can be borne out—they said, "Mr. Kramer, make the best out of it; submit other names; it depends upon you." I had the responsibility for this matter as a business man and a citizen, and I wanted to do what was right.

Q. You submitted 10 other names?—A. I did.

Q. And those 10 other men were confirmed?—A. I guess so; there was no more fuss.

Q. The men that you submitted in that precinct and in that ward were confirmed, except 10, and you subsequently—A. Yes; they were picked out. I drove from one precinct to another. If you want to know—in precinct No. 1—a young man, his father was in business twenty-five years, and he was refused as a clerk; the charges were that he was a drunkard, which was a damn lie! Precinct 1, a young man named Schmidt. His father was in the jewelry business twenty years and over; knowing him myself.

Q. Do you know whether he served election day or not?—A. No, sir; he was refused at precinct 1.

Q. His name was Schmidt?—A. Yes, sir; young Schmidt, his son. The old man used to serve, and he got too old, and he said, "Better take my son." So I had him as clerk there. I had one clerk there and the charges was that he was—well, he had a game leg. He probably limped a little, and he was refused.

Q. What was his name?—A. I can't remember; I forget. I can't think of all those names.

Q. That was what precinct?—A. Precinct 2.

Q. He was refused as clerk, was he?—A. Yes, sir. I wanted those charges sent to my house, but I never got them. They were read off to me from a piece of paper written with a pencil, and I wanted those charges in typewriting sent to my house, but I never got it.

Q. Who else was refused?—A. Precinct 4. Just as I stated, there was two men refused, one as a clerk and one as a judge. John Gray I had appointed as a judge and he was refused on some ground, I forget. The other man I had for clerk—I can't think of the name; he is a carpenter; he was refused—McFay. A gentleman named McFay. Been acting there in former years, before we had this good law that you fellows put on the statute book for us.

Q. And who else besides?—A. There were two in No. 4. Now we come to No. 5. I had a gentleman keeping a boarding house on Eugenia street named Gangner. He works at the station and his wife runs a boarding house; I forget exactly the number; 2100 and something Eugenia street, precinct 5. He was refused on some charge which I forget. I forget that.

Q. Where do you say he was working?—A. Employed in the terminal. Runs a boarding house besides. A railroad man, you know, down at the Union Station. I had him appointed.

Q. Who else?—A. That was No. 5?

Q. Yes.—A. No. 6, I had to get Koonz; John Koonz I think the name is, like his father. Appointed him as a clerk; charges preferred against him as a disturber in the polling place—and the young man had just become of age; never voted in his life. Just said he was a disturber in the polling place. The gentleman never voted before; just become of age.

Q. Who else?—A. No. 8, I appointed a lawyer—from your class of men. I forget the name now.

Q. What precinct was it?—A. Precinct 8. I can't think of his name now; I knew him; keeps an office down here now. I can get the name—Cockrell, I think. He

resides—he was residing at the time I think it is 15 South Twenty-first street, on the other side. That is precinct 8. The charges were that they didn't want a professional man.

Q. That they didn't want a professional man?—A. No, sir; didn't want a professional man.

Q. Who else?—A. In No. 9 I appointed a doctor, and the same charges were made; didn't want no doctor.

Q. What was the name?—A. Dr. Blattner; lives on Jefferson, between Walnut and the next street, in there; 231 South Jefferson. He has an office and resides there. In No. 10 there was a young fellow I appointed as a clerk and he was refused. I believe that is all.

Q. What is his name?—A. Yeager—George Yeager; lives at Manchester avenue and resides in precinct 10. I think that is ten names; count them up and see.

Q. Now, then, of these ten, you substituted ten Republican names?—A. Yes; I did.

Q. And the ten Republicans served during election?—A. They did, except one man; he was five minutes late; precinct 10.

Q. He was at precinct 10?—A. Yes, sir; a man named Johanning, I think it was. He has been here and gave his testimony, I think. I seen it in the paper; that is all I know about it.

Q. There was a new man sworn in?—A. Yes, sir.

Q. He was the only man who served as either clerk or judge on election day who was not recommended by you personally?—A. Yes, sir.

Q. That is the man who succeeded Johanning?—A. Yes, sir.

Q. Aside from that, you had representatives in the polls—they were your appointees in every office that the Republican party was entitled to?—A. My challenger was thrown out.

Q. From where?—A. Threw the challenger out. No watchers, under the rules of the Democratic judges.

Q. No watchers?—A. Threw the challenger out. I heard it with respect to No. 5. The gentleman I had in there as a watcher and challenger, they took hold of him and forced him to go there. They didn't submit to it, and it took John H. Butler and Bobby Carroll and a whole gang of them—had to go there in the evening to get him out.

Q. Where?—A. In precinct 5. Repscher. The judges had two of their leaders to come there and force him so he had to get out.

Q. What did they do?—A. Put him out.

Q. Did you see this done?—A. No, sir.

Q. How do you know it?—A. The man told me.

Q. You don't know anything about it yourself?—A. No, sir.

Q. You don't know what he did or why he was put out?—A. No, sir; you can find out.

Q. Who appointed him?—A. I did, sir.

Q. Did he present his credentials?—A. Yes, sir; from the committee. There is another feature of your law. If it isn't what you want strike it out. There is another thing in the Nesbit law—putting good citizens out of their rights.

Q. What is that?—A. Well, that's all.

Q. Well, but tell me what you are talking about.—A. I say that is another feature of your law—of the Nesbit law—enacted by the Democratic party. In voting either make it stand or throw it away. What is the use of appointing a challenger, and when they come there they are thrown out, if it isn't the law? The Democrats tell me there is no law about it. They say "We don't want him," and that settles it.

Q. This man Repscher was there all day?—A. On the outside, yes; he was put out in the morning about 9 o'clock; he was put out in that fashion, and I said, "You go there in the evening and present your credentials," and he told me that some of them telephoned up to Bobby Carroll and Johnny Butler, and they all came; at least some of them there men came out and he had to get out.

Mr. RICHY. Johnny Butler is James J. Butler's brother?—A. Yes, sir; young Butler, you know.

By Mr. WALSH:

Q. How do you know all this?—A. That is what he told me; I wasn't there myself.

Q. You don't know anything about that, then?—A. No, sir.

Q. You are making a statement that you heard from somebody else?—A. From this very man I appointed to the position.

Q. Personally you know nothing about it?—A. No, sir, not personally; I couldn't be everywhere, Mr. Walsh.

Q. Nearly all of this evidence you have given has been along the same line; you heard it from somebody else?—A. I observed a great deal myself without hearing it;

it isn't hearsay; I took an active part; as committeeman it was my duty in the interest of the party, and I went around and seen it—it is not hearsay; it is not my idea, you know; I wasn't the judge—simply a representative of the party. I went around to see what was going on; trying to do the best I could.

Q. And you can testify just as readily as to what you heard as you can to what you saw?—A. Well, I don't believe everything I hear; some statements I hear I know are true.

Q. In this case—A. I have told you I have followed it up all day, and I saw that myself. I seen some things done, some I heard, the same as you do. I heard from the men I appointed. I have the recorded statement from them that they were thrown out. Certainly I must take their word. They were all outside. When I got there at 9 or 10 o'clock I found them outside and they said, "Well, we are put out." I seen the men on the outside and I wanted to know why, and they said, "I had to go out."

Q. This statement you are making is from those that you heard; that is what you are testifying to, isn't it? What you heard and not what you saw?—A. I found the men on the outside. I saw them, and they were on the outside. I wasn't there when this question came up.

Q. Did you see anybody put out, yourself?—A. No, sir; not personally.

Q. Did you see anybody thrown out?—A. Not by force.

Q. Did you see any difficulty of any description yourself?—A. No, sir; not when I was there.

Q. When you were not there did you see anything?—A. How could I see if I was not there? There was only two men assaulted, and I wasn't there at the time it happened.

Q. How do know they were assaulted?—A. They were bleeding when I got there.

Q. Do you know how it was caused?—A. Hit him. That is the way.

Q. Who hit him?—A. Certain men in the precinct—precinct 1.

Q. So far as you are concerned you don't know why they were hit; don't know the cause of the disturbance or anything about it; don't know even that they were hit, do you?—A. I seen him; I went to—

Q. You didn't see him hit or anyone strike him?—A. No, sir; I seen his lips cut and seen him bleeding. I didn't see him there at the time.

Q. You don't know that anybody struck him?—A. Didn't see him myself; no, sir. I couldn't be there in a minute. It didn't happen when I was there; when I was gone it happened.

Q. You personally don't know of anyone being struck at all?—A. I didn't see the blow given.

Q. You don't know that he was hit?—A. No, sir; only by his appearance.

Q. You didn't see him hit?—A. No, sir.

Q. Didn't see anyone strike him?—A. No, sir.

Q. This man Jackson, the one you say that you were told was Jackson, you don't know that man, do you?—A. I didn't know him.

Q. Somebody told you that his name was Jackson?—A. He was pointed out to me that he was Jackson and that he was a deputy marshal.

Q. You don't know that this was—A. A gentleman told me who knew him personally, I suppose; I didn't know him personally.

Q. You don't know, then, that Jackson was there?—A. He was shown to me as the man; that his name was Jackson. I didn't know him before the incident.

Q. You didn't know him before and don't know him now?—A. Any time I meet him I will know him; I looked at him close.

Q. You didn't know him yourself?—A. No, sir.

Q. You don't know that he was any deputy city marshal or deputy anything else?—A. No, sir; but I was told.

Q. When you say Robert Carroll was up there—he was candidate for justice of the peace in this district?—A. Yes, sir; yes, sir.

Mr. RICHY. You as ward committeeman, you did not have the power to appoint the Republican judges and clerks at the election, did you?—A. No, sir; I simply submitted the names.

Q. You simply suggested the names?—A. Yes, sir; that is all.

Q. And the—A. The commissioners, the board of election commissioners.

Q. The board of election commissioners composed of two Democrats and one Republican?—A. Yes, sir.

Q. You submitted the names to them and asked that those men that you suggested in this way be appointed judges and clerks?—A. Yes, sir.

Q. Now, then, you examined the whole territory in your ward and tried to get good men to act?—A. The best men I thought I could find that had experience in such matters; honest men.

Q. Men of experience and interest?—A. The best men I thought I could find.

Q. Ten of those that you so selected were thrown out?—A. Rejected.

Q. Some on the ground that they were lawyers—one was a lawyer and one was a doctor—on the ground that they were professional men?—A. Yes, sir; that is the charges read to me.

Q. You asked, for your own protection, for a copy of those charges against those 10 men, and it was not furnished you?—A. No, sir; I wanted a typewritten copy of the charges because—

Q. And they were not furnished?—A. No, sir.

Q. But those men were thrown out and kept out?—A. They were not appointed. They were not thrown out; simply not appointed. I was requested to put in other men.

Q. You had to select men less competent?—A. That is right.

Q. And less fit?—A. Exactly.

Q. As ward committeeman for the Fourteenth Ward you had the power of selecting a challenger for each precinct for the Fourteenth Ward to be present inside the polls and challenge people that they thought had no right to vote?—A. Yes, sir.

Q. And was—A. I was requested—

Mr. ROWE. Wait a minute. Let the question go down.

Q. And see that the purity of the election was upheld at the different precincts?

(Objected to on the ground that the question is putting the witness in the position of being a judge to determine what were the rights and duties and powers and privileges of the challengers. The only thing that the witness can properly be called upon to testify to is the fact, from his personal knowledge.)

A. That is what I understood. I selected the men for that purpose.

Q. You did select such a challenger?—A. In each precinct.

Q. And gave them their credentials?—A. Signed by the chairman of the Republican central committee and the secretary.

Q. About how many precincts in the Fourteenth Ward were the challengers so selected and appointed permitted to remain in the polls and perform their functions at the election of Tuesday, November 4?—A. Only one—in No. 6. He was allowed to stay there.

Q. Are you well acquainted over the Fourteenth Ward in the city of St. Louis?—A. I have been living there twenty years; been in business there. That has been my residence twenty years and over.

Q. I will ask you if you know Chestnut street from, say, Eighteenth west to Jefferson avenue?—A. Yes, sir.

Q. How many blocks are there from Eighteenth street to Jefferson avenue on Chestnut street?—A. I guess it is about six blocks, I think; five or six. You know some streets are cut out there.

Q. Will you tell us what the chief industry of that street is?—A. It is a sporting locality.

Q. In that part of the street that you have mentioned, those six blocks?—A. Sporting women are there. What you may call sporting houses, what they generally call them.

Q. To be plain about it, in other words, whore houses?—A. Yes; if you want it plain.

Q. Practically for all of those six blocks?—A. Yes, sir.

Q. That is given up almost entirely to whore houses?—A. Yes, sir.

Q. Where there is not a whore house there is a saloon?—A. Yes; either a saloon or a whore house. There is a couple of big buildings there used as a shoe factory; certainly that isn't a whore house.

Q. If there are 114 registered voters between 2200 Chestnut street and 2341 Chestnut, they are residents of houses of ill fame or a saloon?—A. Naturally; certainly. Kept by women. Running them whore houses; nothing else.

Q. And if there are 13 registered voters living between 2004 and 2124½ Chestnut street, they all live either at houses of ill fame or at a saloon?—A. Couldn't live anywhere else except houses of ill fame.

By Mr. ROWE:

Q. What is the full nature and extent of your acquaintance with the whore-house district in the city of St. Louis?—A. Oh, I know they are there, on Chestnut street.

Q. How do you derive your knowledge? From the judges and clerks of election, or from hearsay?—A. Oh, I have been through the street myself, I don't deny it—walking through. Been in some of them, just for curiosity, with a friend.

Q. How many of them are you personally familiar with from Twenty-second street up to 2340 odd?—A. I am not familiar; no, sir; not in that respect. I don't know the names of the keepers of them, because I don't go that far.

Q. Do you know anything about the actual residents of the different houses from 2200 up to 2400?—A. 2200 to 2400?

Q. Yes; Chestnut street?—A. Yes, sir; they are all houses of ill fame—whore houses, in other words.

Q. You don't know whether any men lived there?—A. Well, what you call "pimps" probably lived there. I don't know whether you know those class of men or not.

Q. What distinction do you make between a man and a "pimp?"—A. Men that live off from those women—supported by those women, as much as I understand.

Q. A "pimp" is—A. That is the general expression; I suppose you have heard it as well as I. That is what they call them. I don't know if there is another word for them or not. Some call them I. P.

Q. Because of that discrimination—A. Some call them "insured." You know, I am a married man, if you please. I have a family.

Q. Have you?—A. Yes, sir.

Q. A "pimp," though, is a man, usually, isn't he?—A. Oh, he is a man; yes, sir. Generally a young man, from 20 to 30. Those women like to have young men. They don't want no old men.

Q. You never heard of a woman being a pimp?—A. No, sir. I don't know anything about the women. I only heard about the men.

Q. So that men whom you designate as "pimps" or I. P. may reside in those two blocks, may they not?—A. They may reside with the women in the house, certainly. I can't say. That may be.

Q. Do you pretend to say that any name that is on that registration list is the name of a person who does not reside in those blocks?—A. I can't say. I didn't see the name, so I can't say that.

Q. Do you pretend to say that the names of all the persons that are registered between Twenty-second and Chestnut street and Twenty-fourth and Chestnut street are the names of "pimps?"—A. They may be a few others, I can't say, because there is nothing but whore houses there, except a few saloons run at the corners. I don't know if they are married to them women or not. If they are legally married I guess they are their wives; I can't say that.

Q. There is a city institution, isn't there, between Eighteenth and Chestnut and Jefferson avenue?—A. No, sir.

Q. Not between Eighteenth?—A. Not that I know of.

Q. Between Seventeenth?—A. O, yes; between Seventeenth and Eighteenth there is a city institution.

Q. Between Eighteenth and Jefferson avenue there are quite a number of factories?—A. Yes, sir; as I stated. There is one on Nineteenth, a few tobacco houses there; some tobacco houses between Eighteenth and Nineteenth there.

Q. There are some rooming houses, are there not?—Well, I don't think so. May be rooming houses of questionable character, if you call them that.

Q. Don't you know right on the corner of Eighteenth and Chestnut street there is a pretty fair-sized hotel?—A. A hotel on Eighteenth and Chestnut? Yes; I know that hotel. A questionable hotel, if you call it anything; it is questionable.

Q. How did you discover that?—A. Well, I am in the hotel business, and I just know what I am talking about; that is the general observation of the place.

Q. That is your observation of the place?—A. Yes, sir. Knowing it is questionable.

Q. Did you see—A. Women frequent the place.

Q. One moment. Did you see that, or did you hear it, or did you smell it, or did you taste it? Its questionable character?—A. Oh, no; I did not, sir.

Q. You didn't learn it through any of your five senses, or feel it—you didn't learn it through any of your five senses, that the character was questionable?—A. No, but generally talking, what I hear, it is questionable. That is all I know about the place. I haven't frequented it myself, and don't know anything about it otherwise.

Q. Where is your hotel?—A. 1618 to 1622 Market.

Q. What is the name of it?—A. Burlington.

Q. What do you think about that as a hotel?—A. Well, I will leave it to anybody that lives around the place or anybody else; I want you to understand that I run a respectable hotel. All transient. There is only four voters there, too. I never padded my hotel for any purpose. You can—

Q. You think it is all right?—A. Yes, sir; I know it is. I don't think anything about it.

Q. Now, between Twentieth and Twenty-first on Chesnut street, what is the extent of your acquaintance there?—A. Well, in general. I am not claiming that I frequent that part very much; oh, no; I have no business there.

Q. You are not familiar with the occupants of the houses there, are you?—A. Why, as I say, I pass by sometimes, and I know they are houses of ill fame. Women looking out. I have been in some of them some years back with friends. Everybody knows it; Chestnut street is a district where there is those houses. You have to have them; there is no use talking about that; we need those houses, I admit.

Q. A very kind admission on your part. Well, the houses need men, don't they?—A. Yes, sir; in order to maintain themselves, necessarily they need men; I suppose they do.

Q. And you don't know anything yourself—have no personal knowledge about the person or persons who actually occupy the houses between Twentieth and Twenty-first street, do you?—A. No. Simply it is filled with women; that is all I know.

Q. Can you pick out the name or names of any person or persons registered from any house between Twentieth and Twenty-first street that is not entitled to registration therefrom?—A. No; I can't personally; no, sir; I can't pick them out.

Q. Do you know of any illegal votes or fraudulent votes that was cast by any person or persons that claimed to be registered from any house between Twentieth and Twenty-first?—A. On Chestnut street?

Q. On Chestnut street.—A. I don't know anything about it. I do know 1900 Chestnut; there is a lot of names and there is only one bed. I have a report made by an election officer; I haven't been there myself.

Q. Well, I haven't reached Nineteenth; I was asking about between Twentieth and Twenty-first. That is the district you are more familiar with perhaps than Nineteenth. Now, do you know of any fraudulent vote that was cast by any person that was registered or upon any name that was registered from any residence between Twenty-second and Jefferson avenue?—A. On Chestnut street?

Q. On Chestnut street.—A. Not personally, I don't.

Q. Your personal knowledge only extends to your ability to be able to testify as to the reputation of the street from end to end, isn't that true?—A. Why, certainly.

By Mr. RICHY:

Q. That is the general reputation of the street all over St. Louis?—A. That is the general reputation.

By Mr. ROWE:

Q. Who did you hear discuss the reputation of the street?—A. O, a lot of men.

Q. Give us the names of a few.—A. O, what do you want with me? You know it as well as I do. Everybody knows it.

At this point a recess was taken until 2 o'clock p. m.

Contestant's Exhibit No. 9 of February 4, 1903—James D. Halter, notary public.

Depositions of witnesses produced, sworn, and examined on this 29th day of December, 1902, between the hours of 8 a. m. and 6 p. m., before me, A. R. Russell, a notary public, within and for the city of St. Louis, State of Missouri, at the office of the election commissioners in the City Hall, in said city and State, in the contested election case now pending before the Fifty-seventh Congress of the United States from the Twelfth Congressional district of Missouri, in which George C. R. Wagoner is the contestant, and James J. Butler is the contestee, on behalf of the contestant.

Not being able to commence the taking of said depositions this day by consent, I hereby adjourn the same until to-morrow, December 30, at 9 o'clock a. m.

Pending the action of the board of election commissioners for the increase of their force for the purpose of a recount of the ballots, at the hour of 11 o'clock a. m., I adjourned the taking of these depositions before me until the hour of 2 o'clock p. m. of this 30th day of December, 1902.

I now continue taking the testimony in this cause, pursuant to adjournment, at 3 o'clock p. m., this 30th day of December, 1902.

DANIEL J. McCARTHY and GEORGE GUNSOLLIS, being duly sworn, on behalf of the contestant testified as follows:

By Mr. KINSEY:

Q. Are you both clerks in the office of the board of election commissioners of the city of St. Louis?—A. Yes.

Q. Have the poll books used in the sixth precinct of the Fourth Ward of the city of St. Louis, at the election held on November 4, 1902, been delivered to you by the clerks in charge of said books, and are they now in your possession?—A. Yes.

Q. Will you take these books and read therefrom the numbers, names, and addresses of voters recorded therein, beginning with No. 1, and continuing in consecutive order to the last number in the books?—A. Yes.

Number.	Name.	Address.
1.....	Peter Krits.....	904 Morgan street.
2.....	James Davenport or James M. Davenport.	1335 Washington avenue.
3.....	Harry H. Lutz.....	906 Morgan street.
4.....	T. J. Higgins.....	906 Morgan street.
5.....	Robert Lutz or Robt. Lutz.....	1208 Washington avenue.
6.....	Chas. Fink.....	1214 Washington avenue.
7.....	David Runkin.....	1214 Washington avenue.
8.....	John Rall.....	906 Morgan street.
9.....	Frank Bassagna.....	906 Morgan street.
10.....	John Aud.....	1333 Washington avenue.
11.....	Gus Hoelter.....	906 Morgan street.
12.....	Richard Coulter.....	1333 Washington avenue.
13.....	Walter O'Neal.....	404½ North Eleventh street.
14.....	John Ellison.....	906 Morgan street.
15.....	William Wood.....	906 Morgan street.
16.....	James Gordan.....	410 North Eleventh street.
17.....	Herbert Miller.....	410 North Eleventh street.
18.....	John Farrell.....	825 Locust street.
19.....	Mike Barry.....	404½ North Tenth.
20.....	Joseph or Jos. Kelly.....	410½ North Eleventh.
21.....	Herman Vollmer.....	822 Morgan street.
22.....	J. S. Russell.....	410 North Eleventh street.
23.....	C. May.....	410 North Eleventh street.
24.....	James Burke.....	410 North Eleventh street.
25.....	V. C. Harwood.....	1335 Washington avenue.
26.....	Chas. Ogier.....	1335 Washington avenue.
27.....	John Lutz.....	1208 Washington avenue.
28.....	M. Spira.....	717a North Eighth street.
29.....	Derrick Barnard.....	410 North Eleventh street.
30.....	Chas. E. Ellison.....	906 Morgan street.
31.....	Geo. Ermer.....	406 North Eleventh street.
32.....	Jas. Kennedy.....	404½ North Eleventh street.
33.....	Hugh E. Bull.....	404½ North Eleventh street.
34.....	Jos. Blott or Joseph Lott.....	1405 Washington avenue.
35.....	Thos. Nolan.....	1411 Washington avenue.
36.....	John Ellis.....	410 North Eleventh street.
37.....	Harry Lenton or Harry Lenten.....	404½ North Tenth street.
38.....	Jas. Post.....	1412 Washington avenue.
39.....	Phil Rohan.....	1411 Washington avenue.
40.....	Ed Dashman or Ed J. Dashman.....	822 Morgan street.
41.....	Jos. F. Ryan.....	904 Morgan street.
42.....	Thos. Nester.....	1413 Washington avenue.
43.....	George H. Moore.....	1333 Washington avenue.
44.....	Leopold Weiss.....	924 Morgan street.
45.....	Sam Roth.....	1303 Washington avenue.
46.....	Edward Murphey.....	720 Morgan street.
47.....	Gerald Griffin.....	811 Locust street.
48.....	Fred Rohlfing.....	1411 Washington avenue.
49.....	John Ewing.....	1405 Washington avenue.
50.....	James Edwards.....	1411 Washington avenue.
51.....	Jeff Reed.....	1405 Washington avenue.
52.....	James Larson.....	1411 Washington avenue.
53.....	R. G. Donnegan.....	1411 Washington avenue.
54.....	T. J. Jackson.....	1333 Washington avenue.
55.....	W. H. Gibbons.....	1305 Washington avenue.
56.....	Jos. Progress.....	1411 Washington avenue.
57.....	Chas. Witt.....	800 Morgan street.
58.....	Herman Kampleman.....	1208 Washington avenue.
59.....	Joc Boehmer.....	421 North Eighth street.
60.....	Ralph Ewald.....	1405 Washington avenue.
61.....	Fred Erwin.....	1405 Washington avenue.
62.....	Phil Logan.....	1405 Washington avenue.
63.....	John Reimsen.....	1405 Washington avenue.
64.....	James Iken or James Ikken.....	1411 Washington avenue.
65.....	Morris Rose.....	1405 Washington avenue.
66.....	T. H. Cooper.....	1206 Washington avenue.
67.....	Jas. A. Murphy.....	904 Morgan street.
68.....	H. Rohan or Harry Rohan.....	404½ North Tenth street.
69.....	John Foy.....	906 Morgan street.
70.....	Jas. McNally.....	406 North Eleventh street.
71.....	N. Comstock.....	404 or 404½ North Tenth street.
72.....	Arthur Wilson.....	404½ North Eleventh street.
73.....	Arthur Kalb.....	406 North Eleventh street.
74.....	Anthony Hancock.....	419 North Eighth street.
75.....	James Cardiff or James Cardidd.....	404½ North Tenth street.
76.....	Chas. Ernst.....	406 North Eleventh street.
77.....	Thos. Fay.....	825 Locust street.
78.....	Sydney Russell.....	410 North Eleventh street.
79.....	William Donavan.....	410 North Eleventh street.
80.....	Peter Rafferty.....	419 North Eighth street.

Number.	Name.	Address.
81.....	P. J. O'Here or P. J. O'Hara	906 Morgan street.
82.....	Daniel Laughlin	406 North Eleventh street.
83.....	Mike Evans	406 North Eleventh street.
84.....	Herman Rolfs	406 North Eleventh street.
85.....	John Martin	906 Morgan street.
86.....	Jas. Haney	419 North Eighth street.
87.....	John McCarthy	822 Morgan street.
88.....	Henry Webster	811 Locust street.
89.....	Herman Buff	404½ North Tenth street.
90.....	Hall Pierce	404½ North Tenth street.
91.....	Peter Bailey	404½ North Tenth street.
92.....	Chas. Conley	404½ North Tenth street.
93.....	Thos. Franklin	906 Morgan street.
94.....	Jos. Lewis	404½ North Tenth street.
95.....	Jos. Rall	419 North Eighth street.
96.....	Jos. Redmond	406 North Eleventh street.
97.....	Patrick Haley	419 North Eighth street.
98.....	Jas. Black	404½ North Tenth street.
99.....	Luke Raney	419 North Eighth street.
100.....	Walter Allred	410 North Eleventh street.
101.....	Aug. Burton or August Purton	404½ North Tenth street.
102.....	E. A. Wakefield	822 Morgan street.
103.....	Patrick Ragney or Pat Regney	406 North Eleventh street.
104.....	Frank Sanders	906 Morgan street.
105.....	Jos. Irvin or Joseph Irwin	406 North Eleventh street.
106.....	Chas. Brackett	419 North Eighth street.
107.....	Henry McFall	406 North Eleventh street.
108.....	John Hanley	419 North Eighth street.
109.....	John Rall	906 Morgan or 406 North Eleventh street.
110.....	John O'Brien	410 North Eleventh street.
111.....	Richard Logan	404½ North Tenth street.
112.....	James Kent	906 Morgan street.
113.....	Walter P. Sams	906 Morgan street.
114.....	Mike McDuff	825 Locust street.
115.....	James Collins	404½ North Tenth street.
116.....	Ed. Windall	906 Morgan street.
117.....	Jas. Houlihan	906 Morgan street.
118.....	Aug. Ruff	404½ North Tenth street.
119.....	Louis Kuhn	406 North Eleventh street.
120.....	Thos. Ryan	410 North Eleventh street.
121.....	John Regan	406 North Eleventh street.
122.....	Albert Firth	825 Locust street.
123.....	William J. Ryan	410 North Eleventh street.
124.....	Wm. Bayless	404½ North Tenth street.
125.....	James Owens	906 Morgan street.
126.....	Alex. Snider	906 Morgan street.
127.....	F. G. Gorham	1333 Washington avenue.
128.....	Frank Thomas	906 Morgan street.
129.....	Peter Cella	820 Morgan street.
130.....	Louis Mahler	700 North Tenth street.
131.....	Sam Gordan	717½ North Eighth street.
132.....	William Dasehman	822 Morgan street.
133.....	Joe Dasehman	822 Morgan street.
134.....	Jas. Gunn	1023 Locust street.
135.....	I. W. Brazelton	1333 Washington avenue.
136.....	Henry W. Taylor	1206 Washington avenue.
137.....	Edward Finney	1335 Washington avenue.
138.....	C. T. Case	1333 Washington avenue.
139.....	John H. Johns	421 North Eighth street.
140.....	Aaron Epstein	722 Morgan street.
141.....	Peter Gatta or Peter Gheto	900 Market street.
142.....	Frank Worminghaus	711 Locust street.
143.....	Patrick Sullivan	701 Washington avenue.
144.....	Joe Stein	1108 Locust street.
145.....	John Lawless	824 Morgan street.
146.....	Thomas McEviney, or Thomas Mc- Elviney	904 Morgan street.
147.....	James T. O'Donnell	711 Locust street.
148.....	Jas. Casey	711 Locust street.
149.....	Frank McMahon	1401 Washington avenue.
150.....	James J. Riley	1318 Washington avenue.
151.....	Jacob Meyer	421 North Eighth street.
152.....	I. Goldberg	726 Morgan street.
153.....	Chas. Evans	711 Locust street.
154.....	Louis Gardner	914 Morgan street.
155.....	Herman Krauser	904 Morgan street.
156.....	Pericles Selavaris	900 Morgan street.
157.....	William W. Bland	800 St. Charles street.
158.....	L. F. McDermott	1023 Locust street.
159.....	Frank Hughes	922 Morgan street.
160.....	Louis Silverstein	800 Morgan street.
161.....	Chas. Salig	717a North Eighth or 715 North Eighth.
162.....	James O. Laughlin, or James M. O'Laughlin	1413 Washington avenue.
163.....	Chas. Potee	825 Locust street.

By Mr. HOLT CAMP:

Q. Have the poll books used in the eighth precinct of the Fourth Ward of the city of St. Louis at the election held on November 4, 1902, been delivered to you by the clerks in charge of said books and are they now in your possession? If so, take these books and read therefrom the numbers, names, and addresses of voters recorded therein beginning with No. 1 and continuing in consecutive order to the last number in the books.—A. Yes.

Number.	Name.	Address.
1.....	William Warner	1609 Olive street.
2.....	Geo. C. Nance, jr	1535 Locust street.
3.....	Wm. Clark	1525 Pine street.
4.....	L. W. Chace	1620 Olive street, rear.
5.....	Archie Henderson	1502 Olive street.
6.....	M. A. Young	1502 Olive street.
7.....	David H. Schakelford	1506 Washington avenue.
8.....	C. J. Connell	1601 Olive street.
9.....	Robt. Nourse	1503 Washington avenue.
10.....	I. P. Coleman	1608 Olive street.
11.....	J. H. Miller	210 North Sixteenth street.
12.....	J. A. Harrington	1637 Washington avenue.
13.....	George Hickey	203 North Fifteenth street.
14.....	Byron Sharpe	1530½ Olive street.
15.....	W. A. Nichols	1531 Pine street.
16.....	Geo. Wilkenson	1626 Locust street.
17.....	B. J. Smith	1621 Olive street.
18.....	C. E. Musler	1504 Olive street.
19.....	S. T. Powell	1612 Washington avenue.
20.....	E. Geldbach	1529 Olive street.
21.....	O. C. Cory	1530½ Olive street.
22.....	David Rankin, jr	511 North Fifteenth street.
23.....	Alb. Joseph	1517 Locust street.
24.....	Louis Mahler	1504 Olive street.
25.....	Jno. Muir	1520 Locust street.
26.....	B. F. Ferguson	1603 Locust street.
27.....	J. W. Hutchinson	307 North Sixteenth street.
28.....	William Bilsbarrow	1508 Washington avenue.
29.....	Geo. Partallo	1527 Washington avenue.
30.....	Olive J. Beck	1527 Washington avenue.
31.....	Geo. W. Wadlon	1603 Locust street.
32.....	Thos. Keefe	1502 Olive street.
33.....	Chas. Maguire	203 North Fifteenth street.
34.....	Cesar Reppetto	1501 Pine street.
35.....	J. F. Adams	1507 Washington, or 1506 Washington avenue.
36.....	Jno. Urner	1502 Olive street.
37.....	H. G. Donnegan	1512 Olive street.
38.....	Jno. E. Hall	1622 Washington avenue.
39.....	Frank A. Rogers	1501 Pine street.
40.....	Wm. C. Kaltwasser	1604 Locust street.
41.....	Lee H. Dierging	1520 Locust street.
42.....	R. E. Nagel	1603 Locust street.
43.....	J. F. Aude	1635 Washington avenue.
44.....	L. C. White	1603 Locust street.
45.....	Jos. Howard	1527 Olive street.
46.....	L. P. Lawson	1618 Olive street.
47.....	F. L. Colley	1502 Washington avenue.
48.....	A. B. Thorpe	1600 St. Charles street, or 1601 Locust street.
49.....	J. J. Doyle	1603 Locust street.
50.....	G. H. Guipe, or C. H. Guipe	1614 Olive street.
51.....	Jno. M. Newell	1520 Locust street.
52.....	Frank J. Brown	1523 Pine street.
53.....	George W. Gilson	1507 Locust street.
54.....	Edward J. Hardy	1601 Locust street.
55.....	Geo. C. Weisel	1601 Olive street.
56.....	Walter Sams	1620 Olive street.
57.....	Geo. P. Miller	1618 Olive street.
58.....	Edw. R. Fiske	1610 Locust street.
59.....	Jas. B. Thomas	1425 Locust street.
60.....	Thos. Edwards	1523 Pine street.
61.....	F. O. Drake	216 North Sixteenth street.
62.....	H. F. Hoffman	1614 Olive street.
63.....	Ed. C. Wheaton	500 North Seventeenth street.
64.....	Wm. Jefferies, or W. A. Jeffries	203 North Fifteenth street.
65.....	Jno. Ryan	1601 Olive street.
66.....	F. K. Waddell	1520 Locust street.
67.....	Robt. Thomas	1539 or 1537 Washington avenue.
68.....	Julius Kriebchett	1529 Olive street.
69.....	Theo. C. Clark	1414 Washington avenue.
70.....	R. J. Lackland	1627 Lucas avenue, or 1623 Locust.
71.....	Hugh Neece	1503 Olive street.
72.....	William Ahearn, or Ahern	1601 Olive street.

Number.	Name.	Address.
73.	P. C. Williams, or P. C. Willaims, sr.	1623 Olive street.
74.	Thomas Brady	1527 Olive street.
75.	William A. Dyer	1528 Olive street.
76.	James Woods	210 North Seventeenth street.
77.	Thomas Harriss	210 North Seventeenth street.
78.	Jno. Burnes	210 North Seventeenth street.
79.	James Dacey	210 North Seventeenth street.
80.	Earnest A. Bitter	1400 or 1402 Washington avenue.
81.	Harry Murrell	210 North Seventeenth street.
82.	Frank Miller	210 North Seventeenth street.
83.	Jno. Moose, or Moss	210 North Seventeenth street.
84.	Wm. T. Newman	1637 Washington avenue.
85.	Jno. N. Chapman	1622 Washington avenue.
86.	Jno. Hull	210 North Seventeenth street.
87.	W. A. McKenzie	1614 Olive street.
88.	Herman Miller	210 North Seventeenth street.
89.	Wm. Cauty	210 North Seventeenth street.
90.	E. H. Oppenheim	1502 Olive street.
91.	Geo. Jewell	210 North Seventeenth street.
92.	Thos. Bluett	210 North Seventeenth street.
93.	Jno. Roody	210 North Seventeenth street.
94.	Edw. Gorman	210 North Seventeenth street.
95.	Thomas Ahearn	1601 Olive street.
96.	Patrick Ahearn	1601 Olive street.
97.	William J. Hardy	1604 Locust street.
98.	J. W. Freundlick	1531 Olive street.
99.	Geo. Geist, or Gist	1424 Washington avenue
100.	Joseph Radyimenski	1620 Olive street.
101.	Edw. K. Hayley	1601 Olive street.
102.	Alonzo Ming	1523 Pine street.
103.	John H. Robertson	1531 Pine street.
104.	John A. Kelly	1515 Olive street.
105.	James M. Piper	1510 Washington avenue.
106.	Joseph Tobin	203 North Fifteenth street.
107.	Henry Wilson	602 North Seventeenth street.
108.	Wm. J. Baker	1515 Locust street.
109.	Hugh L. McDermott or McDermont.	1515 Locust street.
110.	Geo. M. Howarth	1620 Olive street.
111.	J. W. Davis	1535 Locust street.
112.	W. W. Steele	1520 Locust street.
113.	A. A. Lesneur, jr.	1520 Locust street.
114.	L. R. Ramsey	1603 Locust street.
115.	C. Dorrian	1597 Locust street.
116.	S. E. Merriek, jr.	1611 Pine street.
117.	R. E. Gilliland or Gilliland	1603 Locust street.
118.	Aug. Filley	1614 Olive street.
119.	T. S. Lockhart	1604 Locust street.
120.	J. L. Goree	1604 Locust street.
121.	H. S. Hagerthy or Hagerty	1604 Locust street.
122.	L. W. Clark	1520 Locust street.
123.	Thomas Lovett	1604 Locust street.
124.	Otto Pamperiam or Pampperin	1402 Washington avenue.
125.	Luther Brown	1604 Locust street.
126.	J. B. Hardy or Harty	1604 Locust street.
127.	H. D. Bergman	1637 Washington avenue.
128.	Claude Soto	1513 Olive street.
129.	W. E. Trimble	1618 Olive street.
130.	J. M. Ogdon	1527 Olive street.
131.	William J. Kennedy	1518 Washington avenue.
132.	Eugene P. Musler	1504 Olive street.
133.	A. L. Scott	1510 Washington avenue.
134.	I. L. L. Pond	1405 Washington avenue.
135.	M. A. Buckman	207 North Fifteenth street.
136.	Wm. McCarthy, or McCarty	1517 Washington avenue.
137.	Frank Demick	203 North Fifteenth street.
138.	D. Boffa	1529 Pine street.
139.	T. Hayes	1601 Washington avenue.
140.	James Green	1421 Washington avenue.
141.	Theo. Hosheitt	1432 Washington avenue.
142.	Joseph Rooney	1529 Olive street.
143.	Samuel Ralls or Saml. F. Ralls	1631 Washington avenue.
144.	J. P. Wooster	1520 Locust street.
145.	T. E. Grover	1531 Pine street.
146.	Preasley A. Crawford	1520 Locust street.
147.	F. H. Howhart or Harhard	1502 Olive street.
148.	Gehard Schluete or Gerhart Schlueter	1501 Washington avenue.
149.	Samuel H. Lenthe	1413 Locust street.
150.	Thomas J. Ryan	216 North Sixteenth street.
151.	Newton Henninger or Lute Heninger.	1618 Olive street.
152.	Edw. Johnson	1513 Pine street.
153.	F. J. Peters	1620 Olive street.
154.	Chas. W. Talley	1506 Olive street.
155.	W. L. Donohen	1510 Washington avenue.
156.	W. H. Brown	1506 Washington avenue.
157.	F. W. Carr	1531 Pine street

Number.	Name.	Address.
158.....	George Hite.....	209 North Fifteenth street.
159.....	Bernard Gorman.....	1501 Washington avenue.
160.....	Elmer E. Campbell.....	1529 Pine street.
161.....	George Fisher.....	1509 Olive, or 1609 Olive street.
162.....	Ans. A. Madison.....	1506 St. Charles street.
163.....	Ans. O'Day.....	1420 Washington avenue.
164.....	Eugene F. Hardy.....	1601 Locust street.
165.....	Geo. R. Grant.....	1601 Locust street.
166.....	Andrew Chaney.....	1424 Washington avenue.
167.....	John F. King, or Jacob T. King.....	1600 Olive street.
168.....	James Brennan.....	1530½ Olive street.
169.....	F. C. Hancy.....	1509 Washington avenue.
170.....	F. E. McCordy.....	1535 Locust street.
171.....	John Owens.....	1525 Pine street.
172.....	H. H. Hawhart.....	1502 Olive street.
173.....	Hy. Bromning, or Hy. Browning.....	1601 Locust street.
174.....	Phil. Freundlick.....	1531 Olive street.

By Mr. KINSEY:

Q. Examine the certificate attached to these poll books by the judges and clerks and state the vote as certified by them for the candidates for Congress for the short term.—A. James J. Butler received 91 votes, George C. R. Wagoner received 67 votes, Henry H. Artz received 2 votes.

Q. Examine the certificate and state whether all the judges and clerks have signed it.—A. Four judges and two clerks signed the certificate.

Q. Referring to your deposition given this afternoon, which relates to the sixth precinct of the Fourth Ward, please examine the certificate of the judges and clerks attached to the poll books for that precinct and state the vote certified for each candidate for Congress for the short term.—A. James J. Butler received 130 votes, George C. R. Wagoner received 27 votes, Henry Artz received 2 votes.

Q. Examine this certificate and state whether it is signed by the four judges and two clerks of the election.—A. Yes.

The hour of 7 o'clock p. m. having arrived, I adjourned the further taking of these depositions until the hour of 8 p. m. this 30th day of December, 1902.

Pursuant to the above adjournment I commenced the further taking of said depositions at the hour of 8.30 p. m. of this 30th day of December, 1902. Mr. H. M. Walsh appearing for the contestee.

Resumed taking testimony at 8.40 p. m.

By Mr. KINSEY:

Q. Have you in your possession, gentlemen, the poll books of the second precinct of the Fourteenth Ward which were used at the election held in the city of St. Louis, Mo., on the 4th day of November, 1902?—A. Yes.

Q. From whom did you receive these books?—A. Martin F. Moore and Patrick J. Regan.

Q. They are the custodians of the poll books and ballot boxes which are to be used in taking evidence in this case?—A. Yes.

Q. Will you now take the poll book for precinct 2, Ward 14, now in your possession, and read therefrom the number, names, and addresses of the voters entered therein, beginning with No. 1 and continuing in consecutive order to and including the last name?—A. Yes, sir.

Number.	Name.	Address.
1.....	Arthur B. Young.....	212 Targee street.
2.....	Alfred Norton.....	215 South Fifteenth street.
3.....	Albert Aschoff.....	111 South Fifteenth.
4.....	Prophet Hightower.....	23 South Fourteenth street.
5.....	Wm. H. Robinson.....	27 South Fourteenth street.
6.....	Harry S. Richards.....	1404 Market street.
7.....	Arthur Wilks.....	1401 Clark avenue.
8.....	Fred J. Keppler.....	1517 Clark avenue.
9.....	Samuel G. Walke.....	211 South Fourteenth street.
10.....	Walter Glenn.....	1415 Clark avenue.
11.....	James Winters, or Wintris.....	107 South Fourteenth street.
12.....	Thomas C. Kingsmill.....	217 South Fourteenth street.
13.....	Jesse Cross, or Croos.....	18 South Fifteenth street.
14.....	James Fitzgerald.....	16 South Sixteenth street.
15.....	W. Woodruff, or Woodroof.....	18 South Fifteenth street.
16.....	Tom Dixon.....	1411 Clark avenue.

Number.	Name.	Address.
17.	Jas. H. Smith	No. 6 Targee street.
18.	Allen, Charles	1511 Clark avenue.
19.	Perry Blair, or Pre Blir	24 Targee street.
20.	John Brown, or Bron	1401 Clark avenue.
21.	John Shaw	212 South Sixteenth street.
22.	Wm. H. James	1519 Clark avenue.
23.	Wm. P. O'Leary	125 South Fourteenth street.
24.	Jas. A. Quinlavin	121 South Fourteenth street.
25.	John Cooper	1513 Clark avenue.
26.	Wm. Harlen	212 Targee street.
27.	Jones Williams	21 South Fifteenth street.
28.	Saml. Martin	1519 Clark avenue.
29.	Hubbo Sampson	211 South Fourteenth street.
30.	Jas. Kirby	105 South Fifteenth street.
31.	Wm. A. Marsh	123 South Fourteenth street.
32.	James Shay	1401 Clark avenue.
33.	R. Miller	108 South Sixteenth street.
34.	John Travis	1401 Clark avenue.
35.	John J. Hughes	121 South Fourteenth street.
36.	Sam Meaney	1510 Walnut street.
37.	George W. Harris	108 South Sixteenth street.
38.	Wm. T. Black	1516 Walnut street.
39.	Howard Smith	211 South Fifteenth street.
40.	Ed. Tobin	125 South Fourteenth street.
41.	John Jewell	212 South Sixteenth street.
42.	Jas. Holbrook	211 South Fourteenth street.
43.	Geo. W. Morris	201 South Fifteenth street.
44.	Joseph Boyle	121 South Fourteenth street.
45.	Wm. H. Shields	112 South Sixteenth street.
46.	Geo. Blodgett	110 South Sixteenth street.
47.	Wm. G. Baker	101 South Fifteenth street.
48.	Jno. G. Powers	112 South Sixteenth street.
49.	Jos. K. Chappell	17 South Fourteenth street.
50.	Jno. Kennelly	21 South Fifteenth street.
51.	J. W. Turner	22 South Sixteenth street.
52.	Michael Connelly	14 South Sixteenth street.
53.	Jas. Copley	29 South Targee.
54.	Paul Meise	10 South Fifteenth street.
55.	Jesse L. Robinson	1513 Clark avenue.
56.	Jas. Barry	217 South Fourteenth street.
57.	W. H. Pierce	209 South Fifteenth street.
58.	Harvey B. Hill	32 South Fifteenth street.
59.	L. A. Harris	1521 Clark avenue.
60.	Chas. Hightower	109 South Fourteenth street.
61.	Lewis Mason	1413 Clark avenue.
62.	Geo. Page	206 South Sixteenth street.
63.	Andrew Cody	32 Targee.
64.	Lee Brat	214 Targee.
65.	Ike Underwood	118 Targee.
66.	Wm. Poole	117 South Fourteenth street.
67.	Wm. Cabanne	1523 Clark avenue.
68.	John Miller	118 Targee.
69.	E. J. Davis	103 South Fourteenth street.
70.	Harry Hess	17 South Fifteenth street.
71.	P. J. Quinn	201 South Fourteenth street.
72.	Wm. B. Keane	217 South Fourteenth street.
73.	Jas. A'Hearn	21 South Fifteenth street.
74.	Robt. Pinson	15 Targee street.
75.	Jno. H. Shields	104 South Fifteenth street.
76.	Herman Meisner	1401 Clark avenue.
77.	Jas. F. Skerrett	1510 Walnut street.
78.	Wm. J. Norton	21 South Fifteenth street.
79.	Hugh Sandemann	205 South Fifteenth street.
80.	P. J. Sullivan	1414 Market street.
81.	Jas. W. Schwartz	30 South Fifteenth street.
82.	Jno. T. McMahan	20 South sixteenth street.
83.	Geo. Reichhelt	113 South Fifteenth street.
84.	Jno. C. Hyde	14 South Fifteenth street.
85.	Harry Cole	201 South Fourteenth street.
86.	Timothy Solan	1415 Clark avenue.
87.	Henry C. Rebkopf	103 South Fifteenth street.
88.	Jno. Duffy	21 South Fifteenth street.
89.	Jno. C. Pusch	114 Market street.
90.	Jos. A. Carr	101 South Fourteenth street.
91.	Jas. H. Edwards	19 Targee street.
92.	Gerald Fitzgibbon	201 South Fifteenth street.
93.	Jno. Wilson	205 South Fourteenth street.
94.	P. A. Ramsey	107 South Fourteenth street.
95.	J. C. Lockhart	107 South Fourteenth street.
96.	M. E. Mullally	11 South Fifteenth street.
97.	Chas. Gattier	1411 Clark avenue.
98.	Geo. R. Walker	21 South Fourteenth street.
99.	Henry Jones	115 South Fifteenth street.
100.	Barney Taylor	27 Targee street.
101.	Michael McMahan	20 South Sixteenth street.

Number.	Name.	Address.
102.	Mose Walker.	115 South Fourteenth street.
103.	Roy Mull.	25 Targee street.
104.	Clarence Wells.	17 Targee street.
105.	George Cooper.	111 South Fourteenth street.
106.	Wm. Taylor.	27 Targee street.
107.	Jas. R. Timberman.	11½ South Fourteenth street.
108.	E. Simpson.	15 Targee street.
109.	J. M. Gilbert.	26 Targee street.
110.	Bud Peters.	40 Targee street.
111.	Bert Okley.	22 Targee street.
112.	Chas. Dunn.	30 Targee street.
113.	Wm. O'Brien.	104 South Fourteenth street.
114.	James Thomas.	30½ Targee street.
115.	Henry June.	118 Targee street.
116.	James Johnson.	25 Targee street.
117.	Thomas F. Donovan.	101 South Fourteenth street.
118.	H. J. Ridgeway.	17 South Fourteenth street.
119.	Frank Walker.	214 Targee street.
120.	Milton Rathbun.	217 South Fourteenth street.
121.	Jno. Kelly.	121 South Fourteenth street.
122.	Wm. D. June.	118 Targee street.
123.	Max Gillant.	13½ South Fourteenth street.
124.	John Carr.	21 South Fifteenth street.
125.	W. A. Moore.	1406 Market street.
126.	James F. Shields.	104 South Fifteenth street.
127.	James Clarkson.	31 South Fifteenth street.
128.	Wm. H. Clarkson.	31 South Fifteenth street.
129.	Fred. J. Paulet.	1510 or 1512 Walnut street.
130.	Peter A. Peterson.	1414 Market street.
131.	Chas. A. Wickliffe.	108 South Sixteenth street.
132.	Jerry Profit.	204 South Sixteenth street.
133.	Thomas Jennings.	104 South Targee street.
134.	Abbe Moore.	12 Targee street.
135.	Henry Jones.	25 South Fourteenth street.
136.	Geo. Bash.	40 Targee street.
137.	Major Downs.	1515 Clark avenue.
138.	Alex Carter.	112 Targee street.
139.	Harry Gray.	117 South Fourteenth street.
140.	Frank Moore.	112 Targee street.
141.	Chas. Scott.	23 South Fourteenth street.
142.	Jos. Menzie.	6 Targee street.
143.	Sam Foster.	118 Targee street.
144.	Jno. C. Hunt.	15 Targee street.
145.	Chas. Johnson.	117 South Fifteenth street.
146.	Chas. Ryan.	205 South Fifteenth street.
147.	Frank A. Carr.	101 South Fourteenth street.
148.	E. C. Parkhurst.	1426 Market street.
149.	James Sexton.	201 South Fifteenth street.
150.	Frank Mott.	125 South Fourteenth street.
151.	Harry Smith.	211 South Fourteenth street.
152.	Henry Matthews.	107 South Fourteenth street.
153.	Jno. K. Cooney.	1512 Walnut street.
154.	Wm. H. Hudson.	17 South Fourteenth street.
155.	Frank Clark.	121 South Fourteenth street.
156.	W. W. Jones.	125 South Fourteenth street.
157.	Wm. Schultz.	217 South Fourteenth street.
158.	Peter Brooks.	19 South Fourteenth street.
159.	James Patterson.	107 South Fifteenth street.
160.	Russell Griffith.	1514 Walnut street.
161.	Rube Devers.	1513 Walnut street.
162.	David A. Murdock.	111 South Fourteenth or Fifteenth street.
163.	Joe. Siebert.	207 South Fourteenth street.
164.	Franz Lang.	207 South Fourteenth street.
165.	Frank Durant.	207 South Fourteenth street.
166.	John A. King.	20 South Fifteenth street.
167.	Frank S. Conley.	125 South Fourteenth street.
168.	John A. Murphy.	114 South Sixteenth street.
169.	John Power.	18 South Sixteenth street.
170.	Henry Smith.	112 Targee street.
171.	John Taylor.	105 South Fourteenth street.
172.	Sam Lawson.	19 Targee street.
173.	Edward Johnson.	111 South Fourteenth street.
174.	Harry Lawson.	19 Targee street.
175.	Daniel Reed.	206 South Sixteenth street.
176.	Wm. H. Williams.	1411 Clark avenue.
177.	Engene Smith.	206 South Sixteenth street.
178.	Wm. Massey.	115 South Fourteenth street.
179.	Tom Slaughter.	208 South Sixteenth street.
180.	Bud Shaw.	117 South Fourteenth street.
181.	Alex Lawson.	19 Targee street.
182.	W. E. Rack.	111 South Fourteenth street.
183.	Dudley Russell.	202 South Sixteenth street.
184.	John F. Jackson.	125 South Fourteenth street.
185.	Jas. H. Horrocks.	125 South Fourteenth street.

Number.	Name.	Address.
186.....	F. W. Johnson.....	1425 or 1428 Market street.
187.....	Edward Kettler.....	1517 Clark avenue.
188.....	Joseph Kern.....	1516 Walnut street.
189.....	Solomon Bernstein.....	1406 Market street.
190.....	Dennis Hickey.....	16 South Sixteenth street.
191.....	Wm. S. Gude.....	25 South Fourteenth street.
192.....	Lemuel Morrow.....	26 South Sixteenth street.
193.....	Samuel Emrick.....	1516 Walnut street.
194.....	James H. Amend.....	207 South Fifteenth street.
195.....	Geo. J. Ruewe.....	123 South Fourteenth street.
196.....	John Blum.....	1404 Market street.
197.....	James E. Bellamy.....	103 South Fifteenth street.
198.....	H. Herschberg.....	1414 Market street.
199.....	Geo. F. Keane.....	1420 Market street.
200.....	Peter Nailor.....	1428 Market street.
201.....	Lawrence C. Fox.....	125 South Fourteenth street.
202.....	W. L. Alley.....	205 South Fifteenth street.
203.....	Edw. C. Harmen.....	1402 Market street.
204.....	R. J. Davidson.....	1428 Market street.
205.....	Geo. D. Ryan.....	123 South Fourteenth street.
206.....	Louis Boyd.....	211 South Fourteenth street.
207.....	Joe Kern.....	1512 Walnut street.
208.....	Edw. T. Morris.....	125 South Fourteenth street.
209.....	Martin Connors.....	121 South Fourteenth street.
210.....	J. Alexander.....	30 Targee street.
211.....	W. W. Jones.....	125 South Fourteenth street.
212.....	Dennis Dunn.....	125 South Fourteenth street.
213.....	Robt. James.....	123 South Fourteenth street.
214.....	Thos. Riedy.....	123 South Fourteenth street.
215.....	Jno. Connors.....	125 South Fourteenth street.
216.....	H. R. Curran.....	205 South Fifteenth street.
217.....	Edw. T. Murray.....	125 South Fourteenth street.
218.....	Martin Weerts.....	1414 Market street.
219.....	Wm. Jones.....	21 South Fifteenth street.
220.....	Michael Dowd.....	125 South Fourteenth street.
221.....	Romanzo Smith.....	10a South Fifteenth street.
222.....	Frank Green.....	123 South Fourteenth street.
223.....	Jas. Musgrave.....	125 South Fourteenth street.
224.....	Geo. Webb.....	205 South Fourteenth street.
225.....	Augustus Thompson.....	26 South Fifteenth street.
226.....	T. J. Reilly.....	35 South Fifteenth street.
227.....	John or Jas. Brooks.....	200 Targee street.
228.....	Jno. Litton.....	27 Targee street.
229.....	Jno. Marshall.....	107 South Fourteenth street.
230.....	Ben Thomas.....	23 South Fourteenth street.
231.....	Nelson Anderson.....	200 Targee street.
232.....	Ben Butler.....	6 Targee street.
233.....	J. Hardaway.....	207 South Fifteenth street.
234.....	Wm. Nichols.....	1412 Walnut street.
235.....	Jas. Hardigan.....	111 South Fifteenth street.

By Mr. KINSEY:

Q. Turn to the certificate of the judges and clerks upon these poll books and read the votes certified by them for candidates for Congress in the Twelfth Congressional district for the short term.—A. James J. Butler received 180 votes; George C. R. Wagoner received 35 votes.

Q. Are these certificates signed by four judges and two clerks?—A. Yes; four judges and two clerks.

Q. Will you now produce the poll books used in precinct 5 of the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, Mo., and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with number one and continuing in consecutive order and including the last number?—A. Yes.

Number.	Name.	Address.
1.....	Thos. J. Walsh.....	2106 Adams street.
2.....	J. C. Riddley.....	2135 Adams street.
3.....	Willie or Wm. Luchardt.....	2117 Clark avenue.
4.....	H. C. Mendenhall.....	212 South Twenty-second or Twenty-first street.
5.....	W. H. Kelly.....	2030 Eugenia street.
6.....	T. E. Jennison.....	2106 Randolph street.
7.....	J. H. Bradbury.....	2124 Adams street.
8.....	William Cullen.....	204 South Twenty-first street.
9.....	E. Kelly.....	2111 Clark avenue.
10.....	Wm. F. Thorn.....	2020 Eugenia street.

Number.	Name.	Address.
11.....	W. J. Harris	2022 Eugenia street.
12.....	C. Sumter	2122 or 2132 Randolph street.
13.....	M. Dwyer or Twery	2113 Adams street.
14.....	Tom. Byron	410 South Twenty-first street.
15.....	H. M. Bryson	2109 Clark avenue.
16.....	Wm. Fogarty	2112 Randolph street.
17.....	D. J. Tobin	2005 Clark avenue.
18.....	J. H. Link	2147 Adams street.
19.....	Pat. French	2022 Eugenia street.
20.....	John Combs	2138 Eugenia street.
21.....	J. S. Lewis	2133 Adams street.
22.....	George Tingelhoff	318 South Twenty-second street.
23.....	George S. Lewis	2133 Adams street.
24.....	A. J. Madden	2106 Eugenia street.
25.....	F. A. Caifferata	2002 Eugenia street.
26.....	S. C. Coyndall	305 South Twenty-second street.
27.....	P. Rebscher	2147 Adams street.
28.....	H. V. Parry	2131 Randolph street.
29.....	L. J. Steffani	2027 Clark avenue.
30.....	W. J. King	2024 Eugenia street.
31.....	J. B. Costa	2021 Clark avenue.
32.....	J. W. Bealke	2108 Clark avenue.
33.....	C. H. Hough	2120 Clark avenue.
34.....	John Hennessy	2128 Adams street.
35.....	Jas. J. Walsh	2106 Adams street.
36.....	C. Brown	2120 Clark avenue.
37.....	Jos. B. Casey	2111 Adams street.
38.....	Edw. E. Hay	2120 Clark avenue.
39.....	Dave Brannon	2135 Randolph street.
40.....	George Bender	2112 Adams street.
41.....	H. E. Matthews	2005 Clark avenue.
42.....	Dave Campbell	2118a Eugenia street.
43.....	C. W. Crowder	2126 Eugenia street.
44.....	J. V. Dowd	2129 Clark avenue.
45.....	W. E. Dean	2112a Adams street.
46.....	Daniel or Lames Riley	2121 Adams street.
47.....	Edw. Waltoe	2112a Adams street.
48.....	Wm. Black	2112a Adams street.

Mr. KINSEY. In order to relieve the mind of Mr. Walsh, one of the attorneys for contestee, that any claim has been or is made by contestant's counsel that this count has been delayed by the action of the election commissioners, I disclaim any such intention.

Mr. WALSH. The only reason that I have for desiring the explanation which has just been made by Judge Kinsey is, because, in another portion of the record, Mr. Richey, one of the counsel for contestant, has introduced, following almost every question asked by contestee's attorney, the statement that contestee has tried to delay these depositions and encumber the record, when we have endeavored in every way in our power by agreeing to some of the most outrageous and most ridiculous methods of taking depositions that have ever been heard of in this or any other similar investigation.

Mr. KINSEY. I decline to make any reply or notice the statement made by Mr. Walsh.

At 11.16 p. m. the further taking of these depositions is continued until to-morrow morning at 9 a. m., December 31, 1902.

Pursuant to adjournment as above expressed I commenced the further taking of testimony in this cause at the hour of 9.15 a. m., this 31st day of December, 1902.

Number.	Name.	Address.
49.....	Edw. J. Caine	514 South Twenty-second street.
50.....	G. Steffani	2027 Clark avenue.
51.....	W. F. Williams	2041 Clark avenue.
52.....	G. Fehl	2132 Adams street.
53.....	Henry Ostermann	2128 Clark avenue.
54.....	P. Houlihan	2136 Clark avenue.
55.....	A. Shotts	2106 Clark avenue.
56.....	Henry Schuler	2016 Eugenia street.
57.....	Albert Duran	2016 Eugenia street.
58.....	James B. Dunn	2105 Clark avenue.
59.....	W. A. Marshall	2116 Randolph street.
60.....	Mat McGrath	2110 Adams street.
61.....	D. W. Ryan	2102 Eugenia street.
62.....	G. Jackson or Joe Jackson	2124 Adams street.

Number.	Name.	Address.
63.	King Day.	2113 Randolph street.
64.	James Smith.	2102 Randolph street.
65.	Sam Tomis.	2114 Adams street or 2119 Randolph.
66.	Dave L. Hall.	2117 Randolph street.
67.	Frank Allen.	2126 Adams street.
68.	Morris Mulehley.	2116 Clark avenue.
69.	J. H. Gentner.	2138 Eugenia street.
70.	Fred Buschmann.	2141 Adams street.
71.	John Stack.	2110 Adams street.
72.	John J. Kirby.	2130 Eugenia street.
73.	Jos. Herrisson.	2130 Randolph street.
74.	J. C. Byron.	410 South Twenty-first street.
75.	James Whalen.	2106a Eugenia street, or 2106.
76.	Edw. Hogan.	2037 Clark avenue.
77.	G. S. Miller.	2116 Randolph street.
78.	Miek Madden.	2106 Eugenia street.
79.	S. Jolley.	2133 Randolph street, or 2133 Eugenia street.
80.	Tom Ohern.	2112 Adams street.
81.	John J. Hollran.	2140 Adams street.
82.	Jack Felber.	2105 Randolph street.
83.	H. H. Offer, or H. A.	210 South Twenty-first street.
84.	E. D. Steward.	2014 Eugenia street.
85.	J. A. Ryan.	2143 Adams street.
86.	Michael McMahon.	2112a Adams street.
87.	H. McCarty.	2104 Eugenia street.
88.	Edw. Murry.	2126 Randolph street.
89.	Edw. Senn.	2144 Adams street.
90.	Wm. Gallagher.	2113½ Adams street.
91.	John J. Kelly.	2108 Eugenia street.
92.	T. P. Calahan.	2136 Eugenia street.
93.	D. P. O'Connell.	2127a Randolph street.
94.	John O'Connell.	307 South Twenty-first street.
95.	Tom. H. Shaw.	2110 Adams street.
96.	F. Schuster.	2106 Clark avenue.
97.	W. Peyton or W. E. Peyton.	2022 Eugenia street.
98.	Pat. Casey.	2127 Randolph street.
99.	Tom Connors.	307 South Twenty-first street.
100.	H. O'Grady.	2141 Adams street.
101.	A. B. Cleppard.	2118a Eugenia street.
102.	Hugh Kelly.	2113 Adams street.
103.	Wm. Foggarty, jr.	2112 Randolph street.
104.	Pat. Doyle.	2129 Randolph street.
105.	Wm. Berry.	2039 Clark avenue.
106.	H. Long.	2124 Adams street.
107.	James Higgins or J. A. Higgins.	2105 Clark avenue.
108.	L. Calham.	2118 Clark avenue.
109.	Henry Werner.	2134 Clark avenue.
110.	James O'Neal.	214 South Twenty-second street.
111.	Harry Wagoner.	2022 Eugenia street.
112.	George Carl.	2114 Adams street.
113.	Tom Sneed.	2114 Adams street.
114.	John Tobin.	2106 Clark avenue.
115.	Pat Duffy.	2116 Adams street.
116.	J. J. McGuire.	2028 Eugenia street.
117.	William Murphey.	313 South Twenty-first street.
118.	Dave Roberson.	2136 Eugenia street.
119.	S. P. Riche or Richey.	2134 Clark avenue.
120.	Tom J. Kelly.	2111 Clark avenue (rear).
121.	J. M. Murry.	2124 Eugenia street (rear).
122.	J. M. Hogan.	2122 Eugenia street.
123.	Chas. Cline.	2131 Clark avenue.
124.	William Gout or G. W. Gougot.	2132 Clark avenue (rear).
125.	Tom D. Young.	218 South Twenty-second street.
126.	W. Rowe.	2136 Adams street.
127.	R. Dickson.	309 South Twenty-first street.
128.	Chas. W. Neill.	2120 Adams street.
129.	James Pickett.	2114 Clark avenue.
130.	Rob. Adams.	2222 Clark avenue.
131.	R. Boyle.	2119 Adams street.
132.	E. D. Meher.	2007 Clark avenue.
133.	Chas. Elmer.	2006 Eugenia street.
134.	Harry Finnegan.	2132 Clark avenue, or 2132 Eugenia street.
135.	Henry Osterman.	2128 Clark avenue.
136.	T. J. Flagg.	2122 Eugenia street.
137.	C. Schirles or C. Schirley.	2030 Eugenia street.
138.	A. C. Axelson.	2030 Eugenia street.
139.	A. Sanders.	2120 Randolph street.
140.	P. Masterson.	2137 Randolph street.
141.	J. or J. A. Foggarty.	2124 Eugenia street.
142.	John Martin.	2137 Randolph street.
143.	Wm. or Wm. E. Harrison.	2138 Eugenia street.
144.	George J. Davidson.	2140 Eugenia street.
145.	John Hogan.	2108 Clark avenue.

Number.	Name.	Address.
146.....	E. S. Fox, or D. Fox	2011 Clark avenue.
147.....	Jas. Weekley or Jas. Weakley	2130 Clark avenue.
148.....	W. Locklig or Lockrige	2106 Randolph street.
149.....	J. T. Cook	2112 Randolph street.
150.....	John Donley	2110 Adams street.
151.....	J. D. Bredbord	2121 Adams street.
152.....	Tom Garden	2136 Randolph street.
153.....	John T. Donlen	2102 Eugenia street.
154.....	Tom McCullin	2138 Eugenia street (rear).
155.....	G. L. Walker	2130 Randolph street (rear).
156.....	Tom Dowlal	No address.
157.....	Tom D. Young	218 South Twenty-second street.
158.....	F. Conley	2043 Clark avenue.
159.....	Wm. D. Harrison	2138 Eugenia street (rear).
160.....	M. McCarthy	2021 Clark avenue.
161.....	H. Smith	2002 Eugenia street.
162.....	George Deyler	2013 Clark avenue.
163.....	James Doyle	2136 Randolph street.
164.....	A. M. Martindall or Maxteall	2127 Randolph street.
165.....	Chas. Dorey or Trsey	2125 Randolph street.
166.....	Michael Conway	2120 Randolph street.
167.....	Wm. Garvey	2107 Randolph street.
168.....	G. L. Wilson	2021 Eugenia street.
169.....	M. F. Ryan	2143 Adams street.
170.....	George Sanders	2011 Clark avenue.
171.....	John McGrath	2110 Adams street.
172.....	James McClain	2009 Clark avenue or 2019 Clark avenue.
173.....	Harry Reed	2026 Clark avenue.
174.....	Edw. Wright	309 South Twenty-first or 209 South Twenty-first street.
175.....	Edw. Downey	2021 Clark avenue.
176.....	T. M. Driscoll	2104 Eugenia street.
177.....	Chas. G. Hide	2112 Clark avenue.
178.....	Henry Howerd	2119 Adams street.
179.....	P. Gorgan	2116 Eugenia street.
180.....	Tom King	2024 Eugenia street.
181.....	Ben Wolf	2006 Eugenia street.
182.....	Rob Quinlin	2111 Clark avenue.
183.....	James Steek	2110 Adams street.
184.....	W. W. Caine	514 South Twenty-second street.
185.....	Tom Connors	2102 Eugenia street.
186.....	John Mockler	2043 Clark avenue.
187.....	V. D. Rossi, or V. D. Roosie	2124 Clark avenue.
188.....	Con Saldek, or Con Slaek	2134 Adams street.
189.....	J. B. O'Rourke	408 South Twenty-first street.
190.....	Tom Berry	2039 Clark avenue.
191.....	W. J. Atkinson	2039 Clark avenue.
192.....	Gad Goodall	2114 Adams street.
193.....	L. Thompson	2116 Eugenia street.
194.....	J. H. Huelsman	2100 Eugenia street.
195.....	Tom A. Hines	2120 Adams street.
196.....	A. E. Duff	2005 Clark avenue.
197.....	L. E. Black	2122 or 2122a Clark avenue.
198.....	F. A. Cafferata, or F. A. Cafferate, jr	2002 Eugenia street.
199.....	Tom McDowell	2113 Randolph street.
200.....	John J. Jones	2101 Randolph street.
201.....	W. H. Conway	2112 Clark avenue.
202.....	Wm. E. Berkley	2135 Randolph street.
203.....	James J. Kirby	2130 Eugenia street.
204.....	Edw. Bill	2108 Randolph street.
205.....	H. P. Carver	2006 Eugenia street.
206.....	Hugh Martin	2136 Eugenia street.
207.....	George Brice, or Joe Birise	2108 Adams street.
208.....	James Marchel	2108 Adams street.
209.....	George Young	2122 Randolph street.
210.....	Jos. or Geo. Smith	2138 Clark avenue.
211.....	Ben Steffani	2006 Eugenia street.
212.....	F. P. Wheeler	2110 Adams street.
213.....	P. Carey or P. Car	2101 Clark avenue.
214.....	John Cutter	2135 Adams street.
215.....	Sam P. Morris	2141 Clark avenue.
216.....	John M. Morriss	2108 Adams street.
217.....	J. Herfannen or J. Heffene	2135 Randolph street.
218.....	Dick Baughn	2022 Eugenia street.
219.....	Rob. D. Reiley or Rob. D. Ryllie	2135 Adams street.
220.....	James Staek	2110 Adams street.
221.....	James Handlen	2043 Clark avenue.
222.....	John Dovanin or Douboei	2135 Randolph street.
223.....	Rob. Denney	2105 Clark avenue or 2135.
224.....	Dave Boosermann	2118a Eugenia street.
225.....	F. Larzeran	2101 Clark avenue.
226.....	P. P. Dunworth	2043 Clark avenue.
227.....	John Smith	2106 Adams street.
228.....	D. W. Ryan	2122 Eugenia street.

Number.	Name.	Address.
229.	S. G. or C. G. Thompson	2018 Eugenia street.
230.	James Begley	2108 Clark avenue.
231.	R. E. Dunlap	2029 Clark avenue.
232.	Henry Deter	2106 Clark avenue.
233.	James M. Brown	2111 Clark avenue.
234.	John Park	2108 Adams street.
235.	F. Brinkmeyer	2126 Randolph street.
236.	A. T. Hill	2116 Eugenia street.
237.	W. A. Axleander	2041 Clark avenue.
238.	W. A. Stester or W. A. Slater	2118 Eugenia street.
239.	F. W. Morris	2112 Clark avenue.
240.	P. J. Martin	2125 Randolph street or 2135.
241.	John Heffern	2043 Clark avenue.
242.	Thos. McCarthy	2021 Clark avenue.
243.	Mieh Murry or M. Murry	2104 Eugenia street.
244.	James Kenney	2135 Randolph street.
245.	John O'Connell	2103 Eugenia street.
246.	Jos. Schubert	2135 Randolph street.
247.	Peter Sank	2135 Randolph street.
248.	Mick Young or M. Young	2121 Clark avenue or 2021 Clark.
249.	Jos. Staek	2029 Clark avenue.
250.	T. R. Appelman	2002 Eugenia street.
251.	G. A. Glover or D. L. Glover	2027 Clark avenue.
252.	W. M. P. Bailey	2025 Clark avenue.
253.	W. M. Maurey or W. M. Maulhrey	2101 Clark avenue.
254.	Dan J. Young	2119 Clark avenue.
255.	George Todd	2134 Randolph street.
256.	Harry S. Rapp	2024 Eugenia street.
257.	Wm. Schanhan	2135 Randolph street.
258.	Jos. Patten	2135 Randolph street.
259.	J. Conners	2129 Clark avenue.
260.	John Peters	2135 Randolph street.
261.	Pat Walsh	2131 Adams street.
262.	E. H. Woods	2022 Eugenia street.
263.	Thomas W. Jefferson	2106 Randolph street.
264.	R. A. Drayton	2106 Clark avenue or 2006 Clark.
265.	Wm. Kelly	2132 Randolph street.
266.	Thos. Hogan	2107 Randolph street.
267.	J. J. Hogan	2107 Randolph street.
268.	Chas. O'Malley, or J. J. Maley	212 South Twenty-second street.
269.	M. C. Clark	2134 Clark avenue.
270.	J. F. Foote	2120 Clark avenue.
271.	Harry Craig	523 South Twenty-second street (rear).
272.	W. T. McMain	2120 Clark avenue.
273.	Wm. Casey	2023 Clark avenue.
274.	Wm. O'Keefe	2128 Randolph street.
275.	Rich Nagel	2131 Adams street.
276.	Jos. Ginochio	2115 Clark avenue.
277.	Wm. Speer	2118 Eugenia street.
278.	J. F. Day	2112 Adams (rear).
279.	J. R. Taylor	2104 Randolph street.
280.	Edw. Leidundgut	2107 Clark avenue.
281.	L. J. Lowe	2110 Randolph street.
282.	Chas. F. Koelling	2118 Clark avenue.
283.	Rob. D. Ridley	2135 Adams street.
284.	John Manning or John R. Manning	2125 Randolph street.
285.	John Merher or Maher	2124 Clark avenue.
286.	Dave D. Yenger	2111 Clark avenue.
287.	Chas. Bigley	2138 Eugenia street.
288.	James Cullinan	2111½ Clark avenue.
289.	Wm. Althouse	2000 Eugenia street.
290.	Fred Tinglehoff	512 South Twenty-second street.
291.	Geo. M. Donavan	2130 Clark avenue.
292.	Wm. D. Byron	410 South Twenty-first street.
293.	Chas. Colbert	2128 Eugenia street.
294.	Mick McGrath or M. McGrath	514 South Twenty-second street (rear).
295.	Mat Thorpe	2100 Randolph street.
296.	E. J. Crossey	2102 Clark avenue.
297.	F. W. Rosenbaum	2106 Clark avenue.
298.	Tom Lavan	2138 Adams street.
299.	Wm. Yule	2020 Eugenia street.
300.	Thos. Rothery	2020 Eugenia street.
301.	G. W. McFoy	2124½ Clark avenue.
302.	Frank Gander	2120 or 2020 Randolph street.

By Mr. KINSEY:

Q. Turn to the certificate of the judges and clerks and read the vote cast for candidates for Congress from the above district for the short term.—A. James J. Butler received 209 votes, George D. Reynolds received 2 votes, George C. R. Wagoner received 49 votes, Christ Rocker received 1 vote, Henry Artz received 3 votes.

Q. Is this certificate signed by all four of the judges and the two clerks?—A. Yes.

Q. Will you produce the poll books used in precinct 10 in the Fourteenth Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the number, name, and address of each voter as it appears in these books, beginning with No. 1 and continuing in consecutive order to and including the last number?—

A. Yes.

We find on examining these two books that while one of them contains the number and name and address of the voters in said precinct, the other book does not contain the number, name, or address of any voter, otherwise the blanks appear to be filled.

Number.	Name.	Address.
1.....	E. Roseberger.....	220 South Leffingwell avenue.
2.....	Jno. Mulroy.....	2739 Eugenia street.
3.....	A. Ludwig.....	2815 Walnut street.
4.....	Wm. McCoy.....	2818 Manchester avenue.
5.....	Hy. Bailey.....	2806 Walnut street.
6.....	Jno. L. Mann.....	2743 Walnut street.
7.....	P. Murphey.....	213 South Leffingwell avenue.
8.....	E. Schmidt.....	2738½ Walnut street.
9.....	W. A. Murphey.....	213 South Leffingwell avenue.
10.....	George Yeager.....	2751 Manchester avenue.
11.....	C. M. Wells.....	202 South Leffingwell avenue.
12.....	J. T. Connelly.....	2727 Walnut street.
13.....	Grant Sanders.....	2806 Laclede avenue.
14.....	Louis Landoff.....	2843 Clark avenue.
15.....	Jno. M. Braden.....	2723 Eugenia street.
16.....	Patrick Connors.....	2734a Walnut street.
17.....	E. F. Bersche.....	2720 Walnut street.
18.....	E. H. Warder.....	2750 Walnut street.
19.....	Robt. Guerke.....	2747 Eugenia street.
20.....	F. E. Noble.....	2731 Eugenia street.
21.....	R. S. Vaughan.....	2737 Walnut street.
22.....	Leo O'Connell.....	2837 Manchester avenue.
23.....	Theo. Ehrengart.....	2803 Clark avenue.
24.....	W. E. Gatts.....	207a South Leffingwell avenue.
25.....	E. W. LeRoy.....	2830 Laclede avenue.
26.....	Geo. Miller.....	2722 Walnut street.
27.....	G. R. Cutter.....	2723 Walnut street.
28.....	Allen Douglass.....	2800 Laclede avenue.
29.....	Chas. A. Brennan.....	2826 Walnut street.
30.....	R. M. Johnson, jr.....	2749 Walnut street.
31.....	Peter Wise.....	2741 Manchester avenue.
32.....	Norman Elder.....	2705 Eugenia street.
33.....	Geo. Muller.....	2722 Walnut street.
34.....	Andrew J. Gordan.....	217 South Leffingwell avenue.
35.....	Louis Henecke.....	2723 Walnut street.
36.....	Jno. Warder.....	2750 Walnut street.
37.....	Thos. McDermott.....	2834 Walnut street.
38.....	Henry Dennis.....	2824 Manchester avenue.
39.....	Jos. Bonk.....	2738 Manchester avenue.
40.....	Jno. Galvin.....	2820 Manchester avenue.
41.....	M. F. Moore.....	2817 Clark avenue.
42.....	H. Palmer.....	2751 Walnut street.
43.....	W. O. Coats.....	2839 Clark avenue.
44.....	R. Falkenrath.....	2740 Manchester avenue.
45.....	Thos. F. Burke.....	2834 Walnut street.
46.....	P. J. Murphey.....	213 South Leffingwell avenue.
47.....	Jno. Benoist.....	2715 Eugenia street.
48.....	Wm. G. Stohlman.....	2834 Walnut street.
49.....	Theo. Bonk.....	2738 Manchester avenue.
50.....	J. Young.....	2814 Walnut street.
51.....	J. S. Foster.....	208 South Leffingwell avenue.
52.....	A. G. Walters.....	2817 Clark avenue.
53.....	J. W. Anthur.....	2817½ Manchester avenue.
54.....	J. W. Pilcher.....	2815a Clark avenue.
55.....	W. Haynes.....	2743 Walnut street.
56.....	F. B. Murphey.....	213 South Leffingwell avenue.
57.....	Herman Towell.....	2838 Walnut street.
58.....	F. L. Pfeiffer.....	2814 Manchester.
59.....	Jno. F. Kollmier.....	2817 Walnut street.
60.....	W. F. Moffit.....	2834 Laclede avenue.
61.....	Ed Lawson.....	217a South Leffingwell avenue.
62.....	John R. Williams.....	2841 Clark avenue.
63.....	Dave C. Taylor.....	2700 Manchester avenue.
64.....	F. E. Noble.....	2731 Eugenia street.
65.....	Jno. Simon.....	2732 Walnut street.
66.....	Eml. Lopert.....	2731 Eugenia street.
67.....	R. C. Lindsay.....	2707 Walnut street.
68.....	Wm. McConnell.....	2830 Walnut street.
69.....	James Killohran.....	2738 Manchester avenue.
70.....	L. L. Hill.....	2826 Walnut street.

Number.	Name.	Address.
71.....	F. H. Hecker	2742 Walnut street.
72.....	Jas. O'Leary	2755 Clark avenue.
73.....	Thos. Dennis	2708 Laeledge avenue.
74.....	Hy. Mans	2745 Eugenia street.
75.....	James J. Connelly	2831 Walnut street.
76.....	G. Armstead	2839 Manchester avenue.
77.....	C. B. Rothweiler	2839 Walnut street.
78.....	A. H. Lanham	201 South Leffingwell avenue.
79.....	I. C. Muckerman	2702 Walnut street.

At the hour of 1 o'clock I adjourned further taking of testimony in this cause until 2 o'clock p. m., this 31st day of December, 1902.

Pursuant to adjournment I commenced the further taking of testimony in this cause at the hour of 2.10 p. m., this 31st day of December, 1902.

Number.	Name.	Address.
80.....	J. F. Haffner	2846 Manchester avenue.
81.....	M. Brandon	207 or 207 South Leffingwell avenue.
82.....	L. D. Hannis	2817 Manchester avenue.
83.....	J. C. Johnson	2842a Laeledge avenue.
84.....	Wm. Smith	2742 Walnut street.
85.....	J. A. Gaine	2733 Eugenia street.
86.....	Wm. Boyd	2832 Laeledge avenue.
87.....	Jno. Ferguson	2840 Walnut street.
88.....	E. Smith	205 South Leffingwell avenue.
89.....	W. Flint	2840 Walnut street.
90.....	Red Vernon	2821 Walnut street.
91.....	D. J. Driesonier	2846 Manchester avenue.
92.....	P. McCarty	2734 Walnut street.
93.....	C. A. Berrins	2708 Walnut street.
94.....	Frank Smith	2709 Eugenia street.
95.....	D. Rice	2708 Laeledge avenue.
96.....	A. Alford	2830 Laeledge avenue.
97.....	Louis Lottz	2756 Manchester avenue.
98.....	Wm. Jackson	2806 Laeledge avenue.
99.....	Jno. E. Smith	2730 Walnut street.
100.....	Frank Young	2822 Walnut street.
101.....	Jno. Brooks	2705 Eugenia street.
102.....	Wm. Janes	2813 Manchester avenue.
103.....	Lee L. Wagoner	337 South Leffingwell avenue.
104.....	C. Hopkins	2742 Walnut street.
105.....	Jno. Wilson	2711 Eugenia street.
106.....	Geo. Wright	2802 Laeledge avenue.
107.....	Geo. Miller	2740 Walnut street.
108.....	J. P. Marks	2711 Manchester avenue.
109.....	Geo. Smith	2807 Manchester avenue.
110.....	J. H. Clifford	2748 Walnut street.
111.....	Jos. Williams	2715 Walnut street.
112.....	Jno. Simon	2705 Laeledge avenue.
113.....	Geo. A. Roberts	2822 Walnut street.
114.....	W. E. Leader	102 South Leffingwell avenue.
115.....	J. T. Meyer	2806 Manchester avenue.
116.....	D. Gendlow	224 South Leffingwell avenue.
117.....	J. W. Bersche	2720 Walnut street.
118.....	P. Brink	2710 Laeledge avenue.
119.....	W. E. Connors	2734a Walnut street.
120.....	Sam Clay	2834 Laeledge avenue.
121.....	J. A. McFall	205 South Leffingwell avenue.
122.....	E. Meek	214 South Leffingwell avenue.
123.....	Michael Noonan	213 South Leffingwell avenue.
124.....	E. Stevens	2721 Walnut street.
125.....	J. C. Daumer	205 South Leffingwell avenue.
126.....	Theo. Gimmer	2747 Eugenia street.
127.....	Jno. Phillips	2800 Manchester avenue.
128.....	K. R. Williams	2748 Walnut street.
129.....	G. F. Hannon or Harnon	2841 Clark avenue.
130.....	Patrick McCormack	2712 Walnut street.
131.....	L. D. Frudenstein	2823 Clark avenue.
132.....	James Boyd	2835a Clark avenue.
133.....	I. A. Kidwell	2727 Eugenia street.
134.....	G. N. Ford	2704 Walnut street.
135.....	Louis Smith	2719 Eugenia street.
136.....	Red Poertrier	2734 Manchester avenue.
137.....	G. A. Rollins	2832a Manchester avenue.
138.....	J. A. Maher	2839 Clark avenue.
140.....	J. A. McConnell	2830a Walnut street.
141.....	J. J. McMahon	2706 or 2906 Walnut street.
142.....	E. J. McCormick	2712 Walnut street.

Number.	Name.	Address.
143.	J. D. Degan	2835 Walnut street.
144.	C. McDermott	2834 Walnut street.
145.	C. L. Hall	2825 Clark avenue.
146.	W. Scholl	2703 Walnut street.
147.	W. A. Hanner	2703 Walnut street.
148.	Herman Wolf	2824 Manchester avenue.
149.	J. N. Rayburn	2822 Manchester avenue.
150.	G. Ford	2704 Walnut street.
151.	F. Schmell	2724 Manchester avenue.
152.	J. Schmidt	2733 Eugenia street.
153.	A. Bernard	220 South Leffingwell avenue.
154.	J. A. King	2835 Walnut street.
155.	A. Sipple	2814 Manchester avenue.
156.	W. R. Hollis	107 South Leffingwell avenue.
157.	M. P. Brandon	207 South Leffingwell avenue.
158.	J. Gray	2820 Walnut street.
159.	J. Rutger	2831 Manchester avenue.
160.	C. Cobb	2845 Manchester avenue.
161.	L. W. Beal	2705 Eugenia street.
162.	P. Hanelock	2718 Laeade avenue.
163.	Tom Young	221 South Leffingwell avenue.
164.	O. D. Walker	2818 Manchester avenue.
165.	L. J. Lawson	2727 Eugenia street.
166.	F. Ferguson	209 South Leffingwell avenue.
167.	J. F. Ostsell, or Ostoell	2828 Manchester avenue.
168.	W. J. Bunning	224 South Leffingwell avenue.
169.	Jno. Simon	2732 Walnut street.
170.	T. Quigley	229 South Leffingwell avenue.
171.	J. F. Laughlin	2703 Eugenia street.
172.	C. Howe	2811 Walnut street.
173.	Geo. A. Rash	2704 Walnut street.
174.	Tom Carber, or Tom Carter	210 South Leffingwell avenue.
175.	H. Candy	2724 Walnut street.
176.	J. Jones	2840 Walnut street.
177.	A. O. Young	2726 Walnut street.
178.	F. Feltz	2741 Eugenia street.
179.	Wm. Hodges	2822 Walnut street.
180.	E. Clark	203 South Leffingwell avenue.
181.	C. P. Peters	2841 Walnut street.
182.	J. F. Aurelius	2827 Manchester avenue.
183.	L. Hill	2813 Clark avenue.
184.	J. K. Parks	210 South Leffingwell avenue.
185.	C. F. Ziegel	112 South Leffingwell avenue.
186.	Wm. Lapping	2811 Clark avenue.
187.	Jno. Little	2811 Clark avenue.
188.	R. L. Colwell	2745 Walnut street.
189.	A. Schroeder	2730a Clark avenue.
190.	H. Sights	2720 Eugenia street.
191.	Dan McKay	2707 Eugenia street.
192.	Jno. Kennedy	2732 Clark avenue.
193.	P. Burd, or P. Bur	210 South Leffingwell avenue.
194.	D. W. Pittman, or Rittman	210 South Leffingwell avenue.
195.	W. Keller	203 South Leffingwell avenue.
196.	T. Keffe	2027 or 2827 Clark avenue.
197.	J. W. Brookman	206 South Leffingwell avenue.
198.	M. W. Jennings	2718 Clark avenue.
199.	J. W. Ireland	2827 Manchester avenue.
200.	A. D. Coster	237 South Leffingwell avenue.
201.	D. Kavanah	220 South Leffingwell avenue.
202.	D. Tyler	2826 Manchester avenue.
203.	R. B. Sutr	2830 Manchester avenue.
204.	H. Cooksu, or Coohson	2819 Manchester avenue.
205.	C. Epps	2819 Walnut street.
206.	J. R. Light	2821 Walnut street.
207.	F. Moorehouse	2710 Walnut street.
208.	M. O'Donnell	2710 Walnut street.
209.	F. Humes	2731 Eugenia street.
210.	J. J. Apperson	2729 Eugenia street.
211.	Sam. Riley	2733 Eugenia street.
212.	Wm. Stan	2729 Eugenia street.
213.	Geo. E. Pellford	2806 or 2876 Walnut street.
214.	Jno. W. Aurelius	2805 Clark avenue.
215.	Louis Beals	2705 Eugenia street.
216.	E. Delmubener	2707 Eugenia street.
217.	Thos. B. Gillispi	2727 Walnut street.
218.	Henry Bell	2700 Manchester avenue.
219.	Geo. W. Oliver	2702 Laeade avenue.
220.	Geo. Gray	2709 Manchester avenue.
221.	M. Crieley	2718 Laeade avenue.
222.	John Thompson	2731 Manchester avenue.
223.	Thos. Edmund	2711 Manchester avenue.
224.	Geo. Resch	2704 Walnut street.
225.	Thos. Naumin	2712 Walnut street.
226.	Dan McKay	2707 Eugenia street.
227.	W. H. Hannis	2837 or 2737 Clark avenue.

Number.	Name.	Address.
228.....	Geo. F. Siegel.....	112 South Leffingwell avenue.
229.....	Jno. Watts.....	2709 Eugenia street.
230.....	Jas. J. Green.....	2733 Eugenia street.
231.....	J. W. Masengale.....	2818 Laclede avenue.
232.....	P. Hannison.....	2820 Laclede avenue.
233.....	Wm. Bass.....	2832 Laclede avenue.
234.....	H. Brown.....	2700 Manchester avenue.
235.....	Jno. Licoln.....	2728 Laclede avenue.
236.....	R. L. Tuttle.....	2801 Manchester avenue.
237.....	Frank Condon.....	2700 Manchester avenue.
238.....	Jos. Rosick.....	2728 Laclede avenue.
239.....	W. H. Hanking.....	2830 Laclede avenue.
240.....	H. P. Brown.....	2807 Manchester avenue.
241.....	Geo. Miller.....	2722 Walnut street.
242.....	R. L. Cogwell.....	2724 Walnut street.
243.....	M. Richardson.....	2711 Eugenia street.
244.....	B. W. Peppin.....	288 or 208 South Leffingwell avenue.
245.....	H. H. Mumier.....	203 South Leffingwell avenue.
246.....	Frank Singleton.....	206 South Leffingwell avenue.
247.....	W. C. Webb.....	203 South Leffingwell avenue.
248.....	G. Curtis.....	2700 Manchester avenue.
249.....	R. R. Stoval.....	2830 Manchester avenue.
250.....	E. Ludwig.....	2809 Walnut street.
251.....	H. Manns.....	2745 Eugenia street.
252.....	D. Heanhous.....	2747 Eugenia street.
253.....	R. B. Singleton.....	206 South Leffingwell avenue.
254.....	Chas. Joerder.....	2704 Laclede avenue.
255.....	Phil Joerder.....	2704 Laclede avenue.
256.....	J. Welchen.....	2710 Laclede avenue.
257.....	Geo. Brooks.....	2716 Laclede avenue.
258.....	Frank Clifford.....	2700 Manchester avenue.
259.....	Geo. Miller.....	2740 Walnut street.
260.....	J. P. Lutz.....	2741 Walnut street.
261.....	G. Heighold.....	2741 Walnut street.
262.....	P. Hemlock.....	2718 Laclede avenue.
263.....	L. Bersche.....	2718 Laclede avenue.
264.....	M. Dunn.....	2700 Manchester avenue.
265.....	Andrew Sipple.....	2714 Manchester avenue.
266.....	Chas. Meyer.....	2714 Manchester avenue.
267.....	P. Adolph.....	2728 Walnut street.
268.....	Abe Ferst, or Fust.....	2742 Walnut street.
269.....	A. L. Smith.....	2742 Walnut street.
270.....	A. J. Seitz.....	2727 Eugenia street.
271.....	E. Dickson.....	2700 Manchester avenue.
272.....	A. E. Henks.....	2722 Manchester avenue.
273.....	Charles Ude.....	2844 or 2744 Manchester avenue.
274.....	R. Frithie.....	2716 Laclede avenue.
275.....	T. Byrd.....	2820 Laclede avenue.
276.....	L. Bibb.....	2818 Laclede avenue.
277.....	A. Byrd.....	2820 Laclede avenue.
278.....	S. Harvey.....	2700 Manchester avenue.
279.....	C. Epps.....	2819 Walnut street.
280.....	Geo. McPherson.....	2838 Walnut street.
281.....	Max Leaderman.....	2833 Clark avenue.
282.....	Fred Fanon.....	2841 Clark avenue.
283.....	Wm. Kennedy.....	2700 Manchester avenue.
284.....	Jno. Kennedy.....	2700 Manchester avenue.
285.....	R. Beck.....	2809 Walnut street.
286.....	John McCormack.....	2700 Manchester avenue.
287.....	John M. Braden.....	2723 Eugenia street.
288.....	Charles Nolan.....	2700 Manchester avenue.
289.....	F. H. Morell.....	2745 Walnut street.
290.....	J. H. Rueder.....	2747 Walnut street.
291.....	Charles Martin.....	2700 or 2900 Manchester avenue.
292.....	B. E. First.....	2742 Walnut street.
293.....	O. Utt.....	2749 Walnut street.
294.....	J. G. Waider.....	2750 Walnut street.
295.....	M. Koch.....	2711 Walnut street.
296.....	E. Smith.....	2700 Manchester avenue.
297.....	J. Osterlle.....	2828 Manchester avenue.
298.....	O. D. Walker.....	2818 Manchester avenue.
299.....	J. E. Smith.....	2742 Walnut street.
300.....	C. Bartholmew.....	2727 Eugenia street.
301.....	C. Fisher.....	2741 Eugenia street.
302.....	M. J. Hammer.....	200 South Leffingwell avenue.
303.....	Frank Smith.....	2700 Manchester avenue.
304.....	Jno. Warren.....	2700 Manchester avenue.
305.....	D. J. Boban.....	2834 Walnut street.
306.....	W. W. Howard.....	2821 Walnut street.
307.....	Dave Woods.....	2700 Manchester avenue.
308.....	J. T. Kollmeir, jr.....	2710 Walnut street.
309.....	T. Warren.....	2700 Manchester avenue.
310.....	W. E. Smith.....	2718 Walnut street.
311.....	F. W. Hinkley.....	2718 Walnut street.
312.....	G. F. Siegler.....	2719 Walnut street.

Number.	Name.	Address.
313	Wm. Young	2700 Manchester avenue.
314	Jas. Young	2700 Manchester avenue.
315	C. Apperson	2729 Eugenia avenue.
317	E. R. Korwinghaus	2728 Manchester avenue.
318	P. Stingle	2732 Manchester avenue.
319	W. W. Stingle	2732 Manchester avenue.
320	H. Kaune	2719 Walnut street.
321	J. K. Brockmeir	2720 Walnut street.
322	Louis Honig	2718 Walnut street.
323	L. Geislman	2733 Manchester avenue.
324	G. A. Jacobi	2748 Manchester avenue.
325	A. F. Steinbecker	2754 Manchester avenue.
326	Geo. Erhengart	2802 Clark avenue.
327	B. Bostlman	216 South Lellingwell avenue.
328	T. Quilmans	2819 Manchester avenue.
329	P. J. Joerder	2704 Laclede avenue.
330	J. Dencke	2838 Walnut street.
331	W. E. Axtell	2840 Walnut street.
332	J. B. Barogali	2746 Manchester avenue.
333	Jno. Strauss	2821 Manchester avenue.
334	A. T. Nies	2728 Walnut street.
335	O. Peterson	2822 Walnut street.
336	F. Young	2822 Walnut street.
337	D. M. Donavan	2828 Walnut street.
338	P. Dillon	2723 Walnut street.
339	Sam Martin	202 South Lellingwell avenue.
340	E. Higebon	228 South Lellingwell avenue.
341	T. J. Jacobi	2740 Manchester avenue.
342	B. O'Donnell	2746 Walnut street.
343	J. Brooks	2705 Eugenia street.
344	Dan Keffe	2827 Clark avenue.
345	R. Cogwell	2707 Walnut street.
346	Jno. Wilson	204 South Lellingwell avenue.
347	J. Strainmeyer	2710 Laclede avenue.
348	B. McAdams	2710 Laclede avenue.
349	T. Morris	2820 Manchester avenue.
350	F. W. Doame	2728 Walnut street.
351	J. W. Baston	2820 Walnut street.
352	F. Huber	2705 Walnut street.
353	T. Daly	2705 Eugenia street.
354	Jno. Meskin	2842 Manchester avenue.
355	Geo. Meskin	No address.
356	Geo. Miller	2722 Walnut street.
357	D. Buyar	2738 Manchester avenue.
358	A. Podisti	2724 Walnut street.
359	Aug. Brink	2704 Walnut street.
360	O. S. Baldwin	No address.
361	O. E. Henks	2722 Walnut street.
362	P. Lardner, or Lasener	2722 Walnut street.
363	H. S. Gerding	No address.
364	Geo. Oliver	2807 Walnut street.
365	F. Roads	2826 Manchester avenue.
366	R. P. Johnson	2723 Walnut street.
367	F. Smyth	2700 Laclede avenue.
368	T. R. Larnin	2712 Walnut street.
369	F. Schneling	2710 Walnut street.
370	Jno. Rinting	2704 Walnut street.
371	Wm. McCoy	No address.
372	A. Davis	207 South Lellingwell avenue.
373	E. Cronin	2814 Manchester avenue.
374	A. Miller	2710 Laclede avenue.
375	J. Bunting	210 South Lellingwell avenue.
376	M. C. Blevins	2708 Walnut street.
377	D. Gentle, or Gendle	224 South Lellingwell avenue.
378	H. Cay	2709 Walnut street.
379	P. A. Brink	2710 Laclede avenue.
380	Geo. McCarty	2837 Clark avenue.
381	W. A. Lannon	2719 Walnut street.
382	W. H. Baber	3 South Ewing avenue.
383	C. L. Stevinson	2845 Clark avenue
384	J. P. Bailey	2846 Laclede avenue.
385	L. W. Dennis	2826 Manchester avenue.
386	E. Conway	2713 Laclede avenue.
387	F. C. Hetzler	2734 Walnut street.
388	G. Klien	204 South Lellingwell avenue.
389	E. C. Weise	2819 Walnut street.
390	C. Rothweiler	2734 Manchester avenue.
391	W. R. Hallrs, or Halbs	207 South Lellingwell avenue.
392	C. J. Scholl	2703 Walnut street.
393	J. E. Wakeham	2709 Walnut street.
394	T. Volmer	2741 Eugenia street.
395	Frank Bradley	106 South Ewing avenue.
396	W. E. Flannigan	2708 Walnut street.
397	Richard Harlan	2817 Clark avenue.
398	Jno. E. Krewson	2819 Manchester avenue.

Number.	Name.	Address.
399.	M. Kerne, or Kene.	2724 Walnut street.
400.	Fred Braun.	2736 Walnut street.
401.	L. Smith.	2816½ Laclede avenue.
402.	John Denin.	2824 Manchester avenue.
403.	Harry Togg, or Fogg.	4 South Ewing avenue.
404.	E. J. Stephens.	2721 Walnut street.
405.	J. C. Rooney.	2737 Eugenia street.
406.	Arthur Baldwin.	223 South Leffingwell avenue.
407.	L. Erdle, or Erdli.	2806 Manchester avenue.
408.	Thos. Ervin.	2804 Laclede avenue.
409.	Chas. Fisher.	2741 Eugenia street.
410.	R. Burns.	220 South Leffingwell avenue.
411.	G. Hall.	2806 Walnut street.
412.	James A. Rowland.	2832 Manchester avenue.
413.	E. W. Betts.	210 South Leffingwell avenue.
414.	J. P. Degan.	2835 Walnut street.
415.	C. E. Stiengen.	2843 Clark avenue.
416.	H. Shaw.	2739 Eugenia street.
417.	J. W. Lindsay.	2707 Walnut street.
418.	E. F. Higdon.	202 South Leffingwell avenue.
419.	O. T. Clark.	2740 Manchester avenue.
420.	G. P. Mills.	2838 Manchester avenue.
421.	Ed Keefe.	2827 Clark avenue.
422.	Wm. Yorger.	2800 Manchester avenue.
423.	J. A. Flood.	2729 Eugenia street.
424.	J. Beffa.	2746 Manchester avenue.
425.	J. Mahhaffey, or R. Mahhaffey.	2709 Walnut street.
426.	John T. Kennedy.	221 South Leffingwell avenue.
427.	Frank Smith.	2811 Clark avenue.
428.	Fred Hudeman.	2703 Walnut street.
429.	J. M. Harris.	2835 Clark avenue.
430.	J. A. Jackson.	2836 Clark avenue.
431.	Fred Gessett.	2833 Walnut street.
432.	John Keefe.	2827 Clark avenue.
433.	H. J. Fisher.	2741 Eugenia street.
434.	Charles Jourder.	2707 Laclede avenue.
435.	Geo. White.	2806 Laclede avenue.
436.	Michael Murphey.	213 South Leffingwell avenue.
437.	P. O'Connell.	2837 Walnut street.
438.	Leo O'Connell.	2837 Walnut street.
439.	James Gunn.	2733 Eugenia street.
440.	C. A. Lempertz.	2721 Walnut street.
442.	L. Hill.	2813 Clark avenue.
443.	Ed Dennis.	2826 Manchester avenue.
444.	Chas. Martina.	210 South Leffingwell avenue.
445.	James Maher.	2839 Clark avenue.
446.	A. Brown.	2826 Manchester avenue.
447.	C. C. Lawson, or Lanson.	2747 Walnut street.
448.	G. Johnson.	2819 Laclede avenue.
449.	Wm. Daly.	2703 Eugenia street.
450.	Joe Droz.	2700 Laclede avenue.
451.	G. Donavan.	2749 Walnut street.
452.	J. J. Edwards.	2742 Walnut street.
453.	L. Fearando.	2733 Manchester avenue.
454.	R. Fairburg.	2841 Clark avenue.
455.	W. E. Flanagan.	2708 Walnut street.
456.	A. First.	2742 Walnut street.
457.	W. L. Griffith.	220 South Leffingwell avenue.
458.	B. Haskins.	2821 Clark avenue.
459.	W. James.	2813 Manchester avenue.
460.	W. Jones.	2719 Eugenia street.
461.	Geo. Johnson.	2819 Manchester avenue.
462.	W. T. Jones.	2819 Manchester avenue.
463.	W. F. Keller.	203a South Leffingwell avenue.
464.	G. R. Krieger or G. P.	2819 Clark avenue.
465.	P. M. Kilgore.	2742 Manchester avenue.
466.	W. Love.	2831 Laclede avenue.
467.	E. Lovsey or Lorsey.	2720 Walnut street.
468.	D. McCarthy.	2734 Walnut street.
469.	E. P. Apadeins.	2710 Laclede avenue.
470.	C. W. McCrey.	2700 Laclede avenue.
471.	T. McCarty.	210 South Leffingwell avenue.
472.	J. Miller.	2726a Manchester avenue.

By Mr. CLINE:

Q. Will you examine the certificate of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth district of the city of St. Louis for the short term?—A. Yes. James J. Butler received 383 votes; George C. Wagoner received 89 votes.

Q. How many of the judges and clerks have signed this certificate to which you have referred?—A. Four judges and two clerks.

At the hour of 5.45 I adjourned the further taking of testimony in this cause until the hour of 7 o'clock p. m., this 31st day of December, 1902.

Pursuant to adjournment, I commence the further taking of testimony in this cause at the hour of 8 o'clock p. m., this 31st day of December, 1902.

By Mr. KINSEY:

Q. Will you now produce poll book used in the twelfth precinct of the Thirteenth Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with Number 1 and continuing in consecutive order to and including the last name?—

A. Yes.

Number.	Name.	Address.
1.	William Hutt	1111 Montrose avenue.
2.	Frank Kintz	3009 Rutger street.
3.	Frank Kowalski	3127 Hickory street.
4.	Jno. Crotty	3006 or 3106 Choteau avenue.
5.	Lucien McConkling	3000 Hickory street.
6.	Ed. Crotty	3006 or 3106 Choteau.
7.	Lewis Hyner	1115 Montrose avenue.
8.	James W. Odell	3119 Lasalle street.
9.	Michael Ford	3017 Hickory street.
10.	Grant Jones	3114 Lasalle street.
11.	Max Schrick	3114½ Choteau avenue.
12.	Chas. Meinhardt	3128 Hickory street.
13.	Frank J. Peters	1209 Cardinal avenue.
14.	Joe Tilghman	3114 Choteau avenue.
15.	Dan Hyde	3008 Lasalle street.
16.	Jno. M. McLeod or John A. McLoud	3105 Rutger street.
17.	Dougal R. or Raymond Fenwick	1211 Montrose avenue.
18.	Joseph M. Vallentine	1114 Cardinal avenue.
19.	Jno. H. Bircher	1211 Cardinal avenue.
20.	Justice M. Shamberg	3132 Lasalle street.
21.	A. Werz	3040 Hickory street.
22.	Jno. M. Tarraut	1104 Cardinal avenue.
23.	James Dorsett	1110 South Compton.
24.	Brauce Dorsett	1110 South Compton.
25.	Morris Sullivan	3039 Lasalle street.
26.	Frank Peter	1209 South Cardinal.
27.	Morris Crotty	3106 Choteau avenue.
28.	Thomas Hannix	3131 Hickory street.
29.	N. C. Brauhold	3125 Hickory street.
30.	H. J. Spangenberg or Spauenberg	3146½ Choteau avenue.
31.	Arthur Patzer	3109 Hickory street.
32.	Geo. Meyer	3020 Hickory street.
33.	Geo. Spotts	1104 South Compton or 1104 Compton avenue.
34.	Leo Beckel	3023 Rutger street.
35.	Chas. E. Russell	3126 Hickory street.
36.	D. C. Parker	3024 Lasalle street.
37.	Lawrence Quirk	3001 Hickory street.
38.	P. Gibbons	3130 Hickory street.
39.	H. W. Viesselman	3105 Rutger street.
40.	James Golden	3146 Hickory street.
41.	Julius H. Moffatt	3114 Hickory street.
42.	Lewis Frey	3125 Hickory street.
43.	Jno. Bold	3125 Lasalle street.
44.	A. G. Watson	3126 or 3136 Choteau avenue.
45.	Thomas Collins	3017 Hickory street.
46.	Jno. J. McAnany	1017 Cardinal avenue.
47.	Henry Friend	3039 Lasalle street.
48.	Jno Graneman	3143 Rutger street.
49.	August Molden	3136 Hickory street.
50.	Dan Wildfong	3105 Rutger street.
51.	Jno. Riley	3009 Hickory street.
52.	Frank Rafferty	3143a Rutger street
53.	Lewis T. Matthews	3009 Hickory street.
54.	M. Marreau	1207 Cardinal avenue.
55.	Lew Kollmur or Kohlmeier	1215 Montrose avenue.
56.	Spencer Payne	1111 South or 1111 Cardinal avenue.
57.	William Hapgood	3026 Hickory street.
58.	Ed. Kretmeir	3129 Rutger street.
59.	Albert Love	3112 Lasalle street.
60.	Fred S. Pittes	3144 Lasalle street.
61.	William Oates	3112 Lasalle street.
62.	Joe Decatur	1110 Cardinal avenue.
63.	William Green or William L.	1102 Cardinal avenue or 1112.
64.	A. L. Erlinger	3140 Hickory street.
65.	Chas. P. Kelly	3128 Choteau avenue.
66.	Jno. Culliane	3145 Rutger street.
67.	Jno. J. Noonan	3137 Rutger street.
68.	Jere McGrath or J. J.	3137 Lasalle street.
69.	F. V. Scharffenberger	3009 Rutger street.

Number.	Name.	Address.
70.....	R. Scharffenberger	1215 Montrose avenue or 3017 Montrose avenue.
71.....	William McCullough	3029 Lasalle street.
72.....	Jno. F. Connors	3017 Hickory street.
73.....	Isaac Curl	3020 Lasalle street.
74.....	Chas. Cornell	3039 Lasalle street.
75.....	Val Frank	3115 Lasalle street.
76.....	Geo. Love	3112 Lasalle street.
77.....	Herman Reiter	3025 Hickory street.
78.....	Henry Dixon	3114 Lasalle street.
79.....	James McGrath, jr.	3137 Lasalle street.
80.....	Jno. Sullivan	3000 Choteau avenue
81.....	Thomas Sweikort	3028 Lasalle street.
82.....	William Nixon	3033 Hickory street.
83.....	Harry Matthews or Harry W.	3009 Hickory street.
84.....	George Graham	3138 or 3128 Choteau avenue.
85.....	Frank Hugg	3123 Rutger street.
86.....	P. M. Reddy	3104 Choteau avenue.
87.....	James J. McGauley	3017 Hickory street.
88.....	Jacob Biefher, sr.	3133 Lasalle street.
89.....	Robt. Hunter	1107 Cardinal avenue.
90.....	Daniel Gunn	3106 Choteau avenue.
91.....	Philp Wolz	1215 Montrose avenue.
92.....	Hugh Nawn or Hugh P.	3037 Rutger street.
93.....	Wm. J. Love	3112 Lasalle street.
94.....	Jules B. Paris	3127 Hickory street.
95.....	R. J. Schmidt	3019 Hickory street.
96.....	H. Turner	3030 Hickory street.
97.....	Pat Wilby	3021 or 3025 Hickory street.
98.....	William Linstroth	3129 Rutger street.
99.....	Andrew J. Frazier	3129 Rutger street.
100.....	Rudolph Schnebeli, or Schnebil.	1019 Cardinal avenue.
101.....	H. Decker	3022 Hickory street.
102.....	C. F. Taylor	3002 Hickory street.
103.....	Thomas McHale	3107 Rutger street.
104.....	Hans Fink or Fiesek	1108 South Compton avenue.
105.....	Chas. E. Miller	3153 Rutger street.
106.....	William Chapman	3114 Lasalle street.
107.....	Wm. J. Drain	3130 Lasalle street.
108.....	Albert Miller	3153 Rutger street.
109.....	Fritz Branhold or Braunhotz.	3125 Hickory street.
110.....	James McGrath	3137 Lasalle street.
111.....	Geo. Beisher	3133 Lasalle street.
112.....	M. Waters	3138 Lasalle street.
113.....	Jno. Moran or Jno. E.	3007 Hickory street.
114.....	Mike Dugan	3111 Hickory street.
115.....	Mike Moran	3111 Hickory street.
116.....	H. C. Buckner	3031 Hickory street.
117.....	Harry Clodfetter or Coldfelder.	3135 Lasalle street.
118.....	Jno. Harlow	3116a Hickory street.
119.....	Thos. Ribeaby or Rikeby	3027 Rutger street.
120.....	Chas. Werz or Chas. J.	3040 Hickory street.
121.....	Geo. Hinrichs	3025 Hickory street.
122.....	Theo. Blanke	1114 South Compton avenue.
123.....	Jno. P. McClusky	3017 Rutger street.
124.....	Dan Parker	1113 Cardinal or 1113 South Cardinal.
125.....	Ed. Saek	3110 Lasalle street or 3010 Lasalle street.
126.....	Ed. Attus	3026 Lasalle street.
127.....	William Enos or Ennos	3021 Hickory street.
128.....	Harry Page	1215 Cardinal avenue or 1215 South Cardinal.
129.....	Ike Love	3112 Lasalle street.
130.....	Frank Simms	3127 Rutger street.
131.....	Louis Petagna	3112 Hickory street.
132.....	Henry Rollins	3112 Lasalle street.
133.....	Lawrence Hanlon	1205 Cardinal avenue.
134.....	Jno. W. Redmoud	3029 Hickory street.
135.....	William Fox	3002 Choteau avenue.
136.....	Thomas Fox	3002 Choteau avenue.
137.....	Jas. A. McClosky	3017 Rutger street.
138.....	Wm. H. Shoenbeck	3132 Choteau avenue.
139.....	Lawrence P. Newport	3138 Hickory street or 3138a Hickory street.
140.....	Frank Ford	3017 Hickory street.
141.....	William Heffern	3007 Rutger street.
142.....	Jno. Goodrich	1014 Cardinal street or 1014 Cardinal avenue.
143.....	Joseph Stadtmiller	3114 Choteau avenue.
144.....	Fred. J. Stadtmiller	3114 Choteau avenue.
145.....	Conrad Keis	1020 South Compton.
146.....	Pius Knott	3133 Lasalle street.
147.....	William Dwyer	3009 Hickory street.
148.....	Frank Zimmerly	1014 Cardinal avenue or 1014 South Cardinal avenue.

Number.	Name.	Address.
149.....	Thos. Heuschell.....	3128 Hickory street.
150.....	James Bray.....	3131 Lasalle street.
151.....	Simon Fay.....	3019 Lasalle street or 3019 Hickory street.
152.....	Geo. Blume.....	3144 Hickory street.
153.....	Jno. Moulden or Molden.....	3126 Hickory street or 3136 Hickory street.
154.....	Frank Kohl.....	3101½ Rutger street.
155.....	Ed. Moore.....	3009a Rutger street.
156.....	Jack Shelly.....	3117 Hickory street.
157.....	William Pyatt.....	3112 Choteau avenue.
158.....	Thomas McGrath.....	3137 Lasalle street.
159.....	Wm. Reetor or Wm. H.....	3117 Hickory street.
160.....	Joseph O'Rourke.....	3128 Hickory street.
161.....	Oswald Goldie.....	3139 Rutger street.
162.....	Alex. McKillipp.....	1120 Compton avenue or 1120 South Compton.
163.....	Chas. Krietmeir.....	3129 Rutger street.
164.....	Chas. J. Krause.....	3111 Rutger street.
165.....	Michael Garner or Michael C.....	3131 Lasalle street.
166.....	C. C. Frederiel.....	1118 Compton avenue or 1118 South Compton.
167.....	Albert J. Mollenbeck.....	3037 Lasalle street.
168.....	H. M. Frew.....	3015 Rutger street.
169.....	Jno. A. Werz.....	3040 Hickory street.
170.....	Lawrence Tague.....	3039 Lasalle street.
171.....	A. J. White.....	1206 Compton or 1206 South Compton.
172.....	Chas. H. Houker.....	3125 Rutger street.
173.....	William P. White.....	1206 Compton or 1206 South Compton.
174.....	James A. Blaine.....	3115½ Rutger street.
175.....	Hugo Bucholz.....	3134 Lasalle street.
176.....	Jno. Dwyer.....	3133 Rutger street.
177.....	Albert Boardman.....	3117 Rutger street.
178.....	Nathan Payne.....	1113 Cardinal avenue.
179.....	Albert Frew.....	3015 Rutger street.
180.....	Henry Throm.....	3133 Hickory street or 3123.
181.....	A. G. Wells.....	1017 Cardinal.
182.....	Peter Dwyer.....	3132 Rutger street or 3133 Rutger street.
183.....	Chas. L. Huanker.....	3119 Rutger street.
184.....	Chas. B. Rafferty.....	3143a Rutger street.
185.....	A. E. Mellinger.....	3145 Rutger street.
186.....	C. H. Robbins.....	3015a Rutger or 3013 Rutger.
187.....	Jno. O'Connor.....	1111 Montrose avenue, or 1111a Montrose avenue.
188.....	Herman Merz.....	3025 Hickory street.
189.....	Jno. Carten.....	1117 Montrose avenue.
190.....	Peter Sack.....	3110 Lasalle street or 3010 Lasalle street.
191.....	Wm. Hause or Wm. E.....	3024 Hickory street.
192.....	A. C. Blum.....	3130 Lasalle street.
193.....	William Love.....	3112 Lasalle street.
194.....	Jno. Hobbins.....	3110 Choteau avenue.
195.....	C. C. Burgess.....	3140 Choteau avenue.
196.....	Pat Higgins.....	3138 Lasalle street.
197.....	William Layton.....	3133 Lasalle street.
198.....	James W. Riley.....	3113 Rutger street.
199.....	William Wisse.....	1113 Montrose avenue,
200.....	Hugh Reddy.....	3104 Choteau avenue.
201.....	Jno. L. Droncy.....	3110 Hickory street.
202.....	Chas. Rittenhouse.....	3035 Lasalle street.
203.....	Chas. Frazier.....	3129 Rutger street.
204.....	Chas. Alt or Altus.....	3149 Rutger street.
205.....	Ed. Hurley.....	1215 Montrose avenue or 1215 Cardinal.
206.....	William Frederiel.....	3139 Lasalle street.
207.....	Thos. Bold.....	3125 Lasalle street.
208.....	Joseph Duffy.....	3141 Rutger street.
209.....	E. J. Schluter.....	3151 Rutger street.
210.....	Hugh Harper.....	3112 Lasalle street.
211.....	Chas. Maitland or Mateland.....	3040 Hickory street or 3140 Hickory street.
212.....	Tallas Johnson.....	1105 Cardinal avenue.
213.....	Owen Duffy.....	3141 Rutger street.
214.....	Geo. Geyer.....	3021 Rutger street.
215.....	Harry Severson.....	3141 Rutger street.
216.....	Lawrence Ferriek.....	3119 Hickory street.
217.....	Fred. M. Bush.....	1201 Cardinal avenue or 1201 South Cardinal avenue.
218.....	Thos. Smith.....	3025 Lasalle street.
219.....	James Lackey.....	3025 Rutger street.
220.....	Bert C. West.....	3133 Rutger street.
221.....	Jno. Powers.....	3116 Hickory street.

Number.	Name.	Address.
222.....	Alex. Lambert	1105 Cardinal avenue.
223.....	Albert Kinest	3108 Choteau avenue.
224.....	E. S. Stewart	3012 Hickory street.
225.....	William Smith	3001 Hickory street.
226.....	A. J. Thuman	3118 Choteau avenue.
227.....	Chas. Morand	3120 Choteau avenue.
228.....	Thos. Droney	3130 Hickory street.
229.....	D. C. Shoots	3004 Choteau avenue.
230.....	Harry J. Dougherty	3007 Hickory street.
231.....	Edw. Schwab	3142 Lasalle street.
232.....	Jno. Shine	3019 Rutger street.
233.....	Dan. Steinheimer	3021 Rutger street.
234.....	William Greisbach	3121 Hickory street.
235.....	Henry Anderson	3033 Hickory street.
236.....	Phil. Nawn	3037 Rutger street.
237.....	Jno. C. Nawn	3037 Rutger street.
238.....	Jno. M. O'Donnell	3004 Choteau avenue.
239.....	Henry Tilghman or Thielman, one book as above—other book as above.	3114½ Choteau avenue.
240.....	Geo. Setliz	3142 Hickory street.
241.....	Richard Creasser	3013 Rutger street.
242.....	Chas. Kuelmer	3014 Hickory street.
243.....	Dan Cahill	3002 Choteau avenue.
244.....	Henry Sack	3017 Hickory street.
245.....	Arthur Jones	3029 Lasalle street.
246.....	William Appleman	3005 Rutger street.
247.....	C. Rogers	1119 Montrose avenue.
248.....	Toney Quillius	1110 Cardinal avenue.
249.....	Geo. W. Phillips	3139 Rutger street.
250.....	Thos. P. Nooney	3004 Choteau avenue.
251.....	Ed. Mandeville	3109 Rutger street.
252.....	Sam Greer	1124 Compton avenue.
253.....	Grant Willoughby	3111 Rutger street, in other book 3111 Hickory.
254.....	Robt. Bagshaw	3111 Rutger street, in other book 3111 Hickory.
255.....	Edgar T. Holmes	3000 Hickory street.
256.....	Theo. Boese	3118 Hickory street.
257.....	Pat. McEneny	3127 Lasalle street.
258.....	Jno. Smith, in other book Jno. R.	3001 Hickory street.
259.....	Jno. Harris, in other book Jno. H	3039 Hickory street.
260.....	Thos. McNeil	3113 Lasalle street.
261.....	Jno. A. Scott	1104 Compton avenue, in other book 1104 South Cardinal.
262.....	Geo. Schroll	1017 Cardinal avenue, in other book 1017 South Cardinal.
263.....	Henry Boese	3118 Hickory street.
264.....	F. W. Berghaffer	3015 Hickory street.
265.....	Owen Cassidy	3101 Hickory street.
266.....	Fred. Hahn	3127 Rutger street.
267.....	Peter Weyler	3015 Hickory street.
268.....	Jno. A. Broek	3002 Hickory street.
269.....	Jno. Mitchell	3144 Choteau avenue.
270.....	Jacob Busher, jr., other book Jake Beisher, jr.	3133 Lasalle street.
271.....	Cornelius Brown	1102 Cardinal avenue.
272.....	James L. Gray	3017 Hickory street.
273.....	Peter Zoeller	3147 Rutger street.
274.....	W. A. Graham, jr.	3101½ Rutger street.
275.....	Martin Lyon, in other book Lyons...	3136 Lasalle street.
276.....	Frank Brandt	3117 Lasalle street.
277.....	Carl A. Grabler	3127 Rutger street.
278.....	Jno. Kelly	3128 Choteau street.
279.....	Emil Lloyd	3007 A. Rutger street.
280.....	Thos. Wildfong	3131 Lasalle street.
281.....	Geo. Pruett	3101 Hickory street.
282.....	C. W. Hyle	3127 Lasalle street.
283.....	Wm. T. Hyle	3127 Lasalle street.
284.....	Mathus Piskulic	1019 Cardinal avenue.
285.....	Henry Leunkiller, in other book Line- kuchler.	3144 Choteau avenue.
286.....	G. M. Cory	3140 Lasalle street.
287.....	Chas. Doer	3005 Rutger street.
288.....	Geo. Louis, in other book Lewis	3130 Lasalle street.
289.....	Fred. Simet, in other book Fritz. Semit	1211 Montrose.
290.....	Jesse Allen	3114 Lasalle street.
291.....	J. E. Eggering	1115 Montrose avenue.

By Mr. CLINE:

Q. Will you examine the certificate of the judges and clerks, and state the number of votes received by the candidates for Congress in the Twelfth district of Missouri for the short term?—A. Yes. James J. Butler received 216 votes. George C. R. Wagoner received 62 votes. Twelfth precinct of the Thirteenth Ward.

Q. How many of the judges and clerks have signed the certificate to which you have referred?—A. Four judges and two clerks have signed both poll books. Certificate in each book is the same.

At the hour of 11 p. m. of this 31st day of December, 1902, I adjourned the further taking of testimony in this cause until Friday, January 2, 1903, at the hour of 9 o'clock a. m.

Pursuant to adjournment I commenced the further taking of testimony this 2d day of January, 1903, at the hour of 9.30 a. m.

By Mr. HOLTCAMP:

Q. Will you now produce the poll book from the second precinct of the Fifth Ward and read therefrom the numbers, names, and places of residence of the voters contained therein, beginning with No. 1 and reading consecutively to the end thereof?—A. Yes.

Number.	Name.	Address.
1.....	Louis Seibel	623 South Second street.
2.....	Dave Burke, in other book Dave C. Burke.	514 South Second street.
3.....	Herman Rueffer	614 South Second street.
4.....	William McCullum	321 Poplar street.
5.....	Louis Ligeble	311 Plum street.
6.....	Abraham Saab, in other book Saal	611 South Second street.
7.....	John McCormick	319 Plum street or 311 Plum street.
8.....	Emil Rummeler	613 South Second street.
9.....	William Heitman	110 Spruce street.
10.....	Geo. Bopp	110 Spruce street.
11.....	William Maroney	319 Plum street.
12.....	Clem Priesmeyer	319 Plum street.
13.....	Peter Gill	601 South Second street.
14.....	Valentine Hagge	406 South Third street.
15.....	William Kintz	514 South Second street.
16.....	Salem Azar	609 South Second street.
17.....	William Johnson	521 South Third street.
18.....	Chas. Lyons, in other book Chas. E. Lyons.	603 South Third street.
19.....	William Steele	613 South Second street.
20.....	William Blum	601 South Second street.
21.....	Thos. E. Garvey	601 South Second street.
22.....	Franz Heintz, in other book Frank Heinz.	419 South Second street.
23.....	L. Sheron	123 Plum street.
24.....	Christ Schawaker	414 South Third street.
25.....	Henry Dupich	12 Spruce street.
26.....	Arthur Kiburz	611 South Second street.
27.....	Chas. Allen, in other book Chas. J. Allen.	127 Poplar street.
28.....	Joseph Eberspecker	605 South Second street.
29.....	Edward Abele	219 Plum street.
30.....	T. G. Azar	609 South Second street.
31.....	Harry Brown	601 South Second street.
32.....	John Morris	605 South Third street.
33.....	John W. Williams	514 South Second street.
34.....	William H. Cinders	425 South Second street.
35.....	John Abele	219 Plum street.
36.....	Amstead Preston	518 South Second street.
37.....	Chas. Moesenthien	621 South Second street.
38.....	Sarkies Webe, in other book Wehbe	315 Poplar street.
39.....	Thos. Fosele, not in other book on line 39.	320 Poplar street.
40.....	Joseph Eddi	119 Plum street.
41.....	Anthony Bedony	323 Poplar street, in other book 383 Poplar street.
42.....	George Habbad	315 Poplar street.
43.....	Mike Alias	323 Poplar street.
44.....	Robert O'Keefe	514 South Second street.
45.....	Fred Gerhardt	214 Valentine street.
46.....	John Mike	612 South Third street.
47.....	R. Mingert	214 Valentine street.
48.....	Antione Reidt	422 South Second street.
49.....	Mike Webb	315 Poplar street.
50.....	Jos. Webb	127, in other book 117 Plum street.
51.....	Abraham Sada	614 South Third street.
52.....	John H. Johnson	311 Poplar street.
53.....	Jas. Donnelly	404 South Third street.
54.....	Gus Hartman	524 South Second street.
55.....	Nick Tutine, in other book Victor Tutiorl.	315 Poplar street.
56.....	Nick Spasota	315 Poplar street.
57.....	Joe Russo	315 Poplar street.
58.....	Petro Rochitto	315 Poplar street.
59.....	Henry Mundt	415 South Second street.

Number.	Name.	Address.
60.....	Frank Roch, in other book Rock.....	315 Poplar street.
61.....	Augusta Labadie.....	517 South Third street.
62.....	William Labadie.....	517 South Third street.
63.....	Habet Farris.....	610 South Fourth street.
64.....	Albert Roback.....	518 South Fourth street.
65.....	Ed Kuntz.....	605 South Third street.
66.....	John W. Bardenheim.....	420 South Second street.
67.....	Jos. Graf.....	420 South Second street.
68.....	Chas. Hessert, in other book Hesser ...	420 South Second street.
69.....	Louis Hubech, in other book Ludwig Hubech.	420 South Second street.
70.....	Feris Enton.....	324 Poplar street.
71.....	Jos. Wurmmmer.....	118 Spruce street.
72.....	Arthur Hartman, in other book Arthur R. Hartman.	203 Valentine street.
73.....	Harold Donaldson.....	518 South Second street.
74.....	Adolph Fritz.....	614 South Second street.
75.....	John Maloney.....	123 Plum street.
76.....	Felix Lebhold.....	616 South Second street.
77.....	George Asad.....	612 South Fourth street.
78.....	Gustave Bruen.....	317 Plum street.
79.....	Jas. Noble.....	526 South Second street.
80.....	Balne Ragno, in other book Paul Ragno.	402 South Third street.
81.....	Chas. Weleh, in other book Jas. P. Weleh.	603 South Third street.
82.....	H. J. Murry.....	408 South Third street.
83.....	Dude Salpan.....	217 Valentine street.
84.....	John Kraase, in other book Krause ...	420 South Second street.
85.....	Gregoria Griffo.....	515 South Third street.
86.....	Harry Runyon.....	504 South Third street.
87.....	Morris Layrus, in other book Lazarus.	512 South Fourth street.
88.....	William Haaggee, in other book Haage.	406 South Third street.
89.....	Mike Westrich.....	608 South Fourth street.
90.....	John Simon.....	318 Poplar street.
91.....	Sarkis Behter.....	612 South Third street.
92.....	Sam Koplan.....	410 South Second street.
93.....	Jos. Eisenneyger.....	214 Valentine street.
94.....	Jos. Mike.....	318 Poplar street.
95.....	Geo. Moser.....	612 South Third street, in other 618 South Third.
96.....	Peter Moletth.....	616 South Third street.
97.....	Nicholas Yazbeck, in other book Zaybeck.	604 South Second street.
98.....	Andrew Rooney.....	520 South Third street.
99.....	John Hunger.....	602 South Second street.
100.....	Neckely Ferris.....	610 South Fourth street.
101.....	Gottlieb Rube.....	420 South Second street.
102.....	Biazus Nesslerhauf.....	616 South Third street.
103.....	William Schalke.....	417 South Second street.
104.....	Thos. Jones.....	607 South Third street.
105.....	Werner Beerlie.....	605 South Second street.
106.....	Steven Schlos.....	117 Valentine street.
107.....	Archie McDonald.....	607 South Second street.
108.....	John Buernan.....	605 South Second street.
109.....	Ernest Weatherford.....	605 South Third street.
110.....	Chas. Acey.....	613 South Third street.
111.....	Samuel Faes.....	608 South Second street.
112.....	Henry Allwell.....	608 South Second street.
113.....	Frank Wallvogel, in other book Waldvogel.	608 South Second street.
114.....	John Hagge, sr.....	406 South Third street.
115.....	Geo. Leich.....	412 South Second street.
116.....	Herman Rochetto.....	315 Poplar street.
117.....	William Renicker.....	125 Plum street.
118.....	Garrinson Boyd, in other book Grandeson Boyd.	216 Valentine street.
119.....	Gerano Derossi.....	328 Valentine street.
120.....	Francis Fabian.....	328 Valentine street.
121.....	Lorenzo Pelligrone.....	328 Valentine street.
122.....	Faris Khury.....	610 South Fourth street.
123.....	Jacob Farriss.....	602 South Fourth street.
124.....	Mat Connors.....	512 South Fourth, in other book 511 South Fourth.
125.....	Emanuel Glenz, in other book Glene ..	214 Valentine street.
126.....	Jacob Gruebel.....	419 South Second street.
127.....	Frank Wahl.....	504 South Second street.
128.....	Barbato Urbano.....	515 South Third street.
129.....	Tony Denie.....	328 Valentine street.
130.....	Angelo M. Ponti.....	515 South Third street.
131.....	Chas. Maurer.....	428 South Second street.
132.....	August Thoerner.....	612 South Main street.
133.....	Adam Heinzelmann.....	420 South Second street.
134.....	John Anton.....	614 South Third street.

Number.	Name.	Address.
135.	Ferdiano Pellegrini	328 Valentine street.
136.	Frank Spectmann	420 South Second street.
137.	Jas. L. Carr	524 South Second street.
138.	Jas. White	616 South Third street.
139.	Aug. Amey	520 South Second street.
140.	Ed Conway, in other book Ed. J. Carmody.	526 South Second street.
141.	Jno. Moritz	400 South Second street.
142.	Ed Mileston	110 Spruce street.
143.	James Harris	422 South Third street.
144.	John Sindors	219 Plum street.
145.	Paul Regno	508 South Fourth street.
146.	Chas. A. Rummeler	419 South Second street.
147.	Henry Keller	512 South Fourth street.
148.	Chas. Moeloth	616 South Third street.
149.	Michael McKenna	612 South Main street.
150.	Herman Krueger, in other book Louis A. Krueger.	509 South Second street.
151.	John Street, in other book Streit	509 South Second street.
152.	Thos. Riley	509 South Second street.
153.	Julius Wilken, in other book Jul. A. Wilken.	118 Valentine street.
154.	Joe Schweiger	406 South Third street.
155.	Frank Hulbert	512 South Fourth street.
156.	Sol Pementbel	604 South Fourth street.
157.	J. G. Geiweiner	520 South Fourth street.
158.	Henry Oswitz	414 South Second street.
159.	Francisco Cappolo	402 South Third street.
160.	Henry Hunkmoller	500 South Second street.
161.	Pat Shannon	400 South Main street.
162.	John W. Miller	418 South Third street.
163.	Louis Musler	121 Plum street.
164.	Emile Musler	121 Plum street.
165.	John Moroney	319 Plum street.
166.	James Becton, in other book James H. Antonio Tommaso	417 South Levee.
167.	Antonio Tommaso	610 South Fourth street.
168.	Aug. Mattfieldt	406 South Second street.
169.	John Smith	311 Plum street.
170.	Henry Miller	521 South Second street.
171.	Joseph Stuber	509 South Second street.
172.	Fred Schneider	518 South Second street.
173.	Dennis Biggins	617 South Third street.
174.	Lenarado Selawaggo.	600 South Fourth street, in other book 515 only.
175.	N. G. Esaffe	610 South Fourth street.
176.	Phillip Maurer	417 South Second street.
177.	Moritz Frueth, in other book Morris	620 South Fourth street.
178.	James Costello	612 South Third street.
179.	Raphiel Costello	612 South Third street.
180.	John Strauss	509 South Second street.
181.	Henry Bamberger	516 South Fourth street.
182.	Chas. Utes	605 South Third street.
183.	John Boepple	622 South Second street.
184.	Vincenzo Salvaggi	604 South Fourth street.
185.	Joe Mileston	602 South Second street.
186.	Chas. Simmerman	508 South Second street.
187.	Frangott M. Mueller	402 South Second street.
188.	Herman Applebaum	622 South Fourth street.
189.	Henry Von Bokern	406 South Second street.
190.	Joe Engles (in other book 486)	426 South Second street.
191.	Theo. Murrey	425 South Second street.
192.	Louis Frillmann	520 South Fourth street.
193.	John Wetzel	402 South Second street.
194.	Caeser Zehme	419 South Second street.
195.	Henry DeHaven	426 South Second street.
196.	James Labadie	517 South Third street.
197.	Thos. Connors	607 South Second street.
198.	William Duncan	523 South Third street.
199.	Thos. Murphy	401 South Second street.
200.	Harry Edgerty	601 South Second street.
201.	William Dourg	317 Plum street.
202.	Fred Hulbert	501 South Second street.
203.	Jacob Wuest	418 South Third street.
204.	Jacob Ott	418 South Third, in other book 608 South Second.
205.	Hugo Zeller	501 South Second street.
206.	Harry Kinnerley	214 Valentine street.
207.	Otto Mueller (in other book Miller)	504 South Fourth street.
208.	Adolph Glifast (in other book Gleiforst).	516 South Fourth street.
209.	Chas. Johnson	601 South Second street.
210.	Mike Marar (in other book Micheal A. Marra).	506 South Fourth street.
211.	Joseph Maurer	116 Spruce street.
212.	Jon O'Brien	602 South Second street.

Number.	Name.	Address.
213.....	John Holdt.....	418 South Third street.
214.....	Arthur McCutchen.....	602 South Fourth street.
215.....	Thos. Gibson.....	614½ South Fourth street.
216.....	William Leinung.....	520 South Third street.
217.....	James Granderson.....	321 Poplar street.
218.....	Orrian Granderson.....	321 Poplar street.
219.....	Chas. Lee.....	526 South Second street.
220.....	Geo. Mileston.....	110 Spruce street.
221.....	Geo. Schehou.....	117 Plum street.
222.....	Frank Havier.....	214 Valentine street.
223.....	John Smith.....	319 Plum street.
224.....	Ed Meyer.....	526 South Second street.
225.....	Jno. Paul.....	419 South Second street.
226.....	Philip H. Mundt.....	415 South Second street.
227.....	Martin Heintz; in other book Martin F. Heinz.	425 South Second street; in other book 423.
228.....	Chas. Hart.....	601 South Second street.
229.....	Henry Voelker.....	227 Valentine street.
230.....	William Heuer.....	526 South Second street.
231.....	Jno. Smith.....	317 Plum street.
232.....	Jas. Madison.....	613 South Second street.
233.....	John Davis.....	417 South Second street.
234.....	Andy Hoffman.....	217 Plum street.
235.....	Enoch Jackson.....	216 Valentine street.
236.....	Bernard Klee.....	214 Valentine street.
237.....	Jacino Lauroto.....	521 South Third street.
238.....	Geo. Meyer.....	518 South Third street.
239.....	William Froelich.....	004 South Second street.
240.....	Fritz Schreier.....	509 South Second street.
241.....	Elmer Appel.....	603 South Third street.
242.....	Peter Ernst.....	422 South Third street.
243.....	August Neubecker.....	422 South Third street.
244.....	Theo. Buerger.....	423 South Second street.
245.....	Chas. Schuff.....	611 South Second street.
246.....	Fred Burch; in other book Fred Bertsch.	110 Spruce street.
247.....	Geo. Zilm.....	420 South Third street; in other book 412.
248.....	William Frieslehem.....	601 South Second street.
249.....	August Fuchs.....	422 South Third street.
250.....	Joseph Leobel.....	422 South Third street.
251.....	August Balter; in other book Batur.	406 South Second street.
252.....	Chas. Leish.....	412 South Second street.
253.....	Staislan Mileston.....	110 Spruce street.

By Mr. HOLTCAMP:

Q. Will you now state the number of votes certified to by the judges in that poll book for each Congressional candidate for the short term?—A. Yes. James J. Butler received 141 votes; George C. R. Wagoner received 110 votes.

Q. How many of the judges and clerks signed the poll books?—A. Four judges and two clerks.

At the hour of 1 o'clock p. m. of this 2d day of January, 1903, I adjourned the further taking of testimony until the hour of 2 o'clock p. m. of this day.

Pursuant to adjournment, I commenced the further taking of testimony at the hour of 2.20 o'clock p. m., this 2d day of January, 1903.

By Mr. KINSEY:

Q. Will you now produce the poll books used in the fifth precinct of the Thirteenth Ward, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with number 1 and continuing in consecutive order to and including the last name?—A. Yes.

Number.	Name.	Address.
1.....	Thos. Berry.....	2628 Papin street.
2.....	Joseph J. Pudidito.....	2309 Chouteau avenue.
3.....	Jacob G. Hoefling.....	2339 Chouteau avenue.
4.....	Martin Miehelfelder.....	2649 Chouteau avenue.
5.....	Dominick Smith.....	2319 La Salle street.
6.....	John L. Funck.....	1013 Missouri avenue.
7.....	Roswell Churchill.....	2241 Chouteau avenue.
8.....	Joseph D. King.....	2301 Chouteau avenue.
9.....	Michael Smith, jr.....	2319 La Salle street.

Number.	Name.	Address.
10.	Thos. M. Evers	2640 Papin street.
11.	Benj. S. Gale	809 South Twenty-third street.
12.	Barnard McKarnan	2203 Chouteau avenue.
13.	Michael J. Duddy	2327a La Salle street.
14.	Arthur E. Koeniger	2309 Hickory street.
15.	William R. Smith, jr	2630 Papin street, rear.
16.	Thomas Dalton	2301 Chouteau avenue.
17.	L. H. Eilermann	2301 Chouteau avenue.
18.	Martin Manion	2321 Chouteau avenue.
19.	John Streech; in other book Stretch	2347 Hickory street.
20.	Berrone Rector	2345a Hickory street.
21.	Joseph Machacek	2311a Hickory street.
22.	Michael J. O'Rourke	813 South Twenty-second street.
23.	G. C. E. Goddard	2315 La Salle street.
24.	Daniel Hart	2301 Chouteau avenue.
25.	William Meyer	921 South Jefferson avenue.
26.	Emanuel Jacobs	2352 Chouteau avenue.
27.	Chas. McGowen	819 South Twenty-second street.
28.	Max Heuler	2314 Chouteau avenue.
29.	Thos. Morris	2301 La Salle street.
30.	William D. Herrin	2241 Chouteau avenue.
31.	Joseph Smith	2319 La Salle street.
32.	Chas. O. Allen	2320 Papin street.
33.	John Weaver	2204 Papin street.
34.	Harry J. Loftus	2649 Chouteau avenue.
35.	James A. Cruise	2341 Chouteau avenue.
36.	John Kincaide	2311 Hickory street.
37.	John T. L. Savage	2241 Chouteau avenue.
38.	J. W. Eskew	2315 Hickory street.
39.	Phil Golden	2634 Papin street.
40.	E. H. Henekler	2237 Chouteau avenue.
41.	Henry Weakley	2319 La Salle street.
42.	Ferdinand Rofke	2310 Chouteau avenue.
43.	William Woods	2637 Papin street.
44.	Isaac Boman	2637 Papin street, rear.
45.	Jonas Ewing	2621 Papin street.
46.	David Corcoran	805 South Twenty-second street.
47.	Thos. P. Hade	2317 Chouteau avenue.
48.	Robert Miller	2609 Papin street.
49.	Lawrence Kennedy	2321 Chouteau avenue.
50.	Fred Joerns	817 South Twenty-second street.
51.	Michael Loftus	2649 Chouteau avenue.
52.	Joseph Wycoff	2341 Hickory street.
53.	Samuel Burch, sr	2326 Papin street.
54.	Andrew Tyler	2628 Papin street.
55.	August A. Meyer	921 South Jefferson avenue.
56.	John P. Rohan	2315 La Salle street.
57.	Louis Bass	2311 Chouteau avenue.
58.	August Landin	2231 Chouteau avenue.
59.	Walter Simpson	2334 Papin street.
60.	Michael Weakley	2319 La Salle street.
61.	Walter L. Bergen; in other book Wal- ter Bergen.	1010 South Jefferson avenue.
62.	Fred Ahlheimer	2639 Chouteau avenue.
63.	A. J. Arnold	912 West Jefferson avenue.
64.	Edward Anderson	2328 Papin street.
65.	Thos. Gartland	2316 La Salle street.
66.	Lenard Charleston	2637 Chouteau avenue.
67.	James Cavender	2609 Papin street.
68.	John Cavanaugh	2634 Papin street.
69.	Adolph Mayer; in other book Adolph E. Meyer.	2323 Chouteau avenue.
70.	Michael Fitzgerald	2629 Chouteau avenue.
71.	Thos. Hadican	2343 Hickory street.
72.	Bernard Crane	2341 Hickory street.
73.	William H. Simpson	807 South Twenty-second street.
74.	Herman Jost	2619 Chouteau avenue.
75.	Chas. F. Behrens	2318 Chouteau avenue.
76.	William Nedderhut	2324 La Salle street.
77.	Edward Thase	2322 Chouteau avenue.
78.	Josh Taylor	2309 Papin street, rear.
79.	Earl P. Shofner	2319 Chouteau avenue.
80.	John Raddolph	2637 Papin street.
81.	John G. Tracy	2327 La Salle street.
82.	John Stinson	2626 Papin street.
83.	Otto F. Traubel	2354 Chouteau avenue.
84.	Edward L. Coleman	2235a Chouteau avenue.
85.	Joseph Rother	2313 Chouteau avenue.
86.	Jesse Palmer	2320 Papin street.
87.	Daniel R. Mason	2300 Papin street.
88.	Patrick F. Hade	2317 Chouteau avenue.
89.	Albert J. Pudietr	2309 Chouteau avenue.
90.	Henry E. Williams	917a South Twenty-second street.
91.	John Bohlen	2310 Chouteau avenue.
92.	Hermann F. Beck	2305 Chouteau avenue.

Number.	Name.	Address.
93.....	John P. Douglas.....	1116 South Jefferson avenue.
94.....	William Ross.....	2628 Papin street.
95.....	Eugene Bishopp.....	2323 Chouteau avenue.
96.....	John Heydrebel; in other book, Heydrehtel.	2330 Papin street.
97.....	Edward P. Ryan.....	2353 Hickory street.
98.....	Alexander Schulte.....	2301 Chouteau avenue.
99.....	A. J. Goodpaster.....	2328 La Salle street.
100.....	George J. Flichmann.....	2233 Chouteau avenue.
101.....	John W. Weeke.....	2316 Papin street.
102.....	Martin J. Walsh.....	2307a Hickory street.
103.....	Thaddius S. Lynch.....	2640 Papin street.
104.....	William Zeltmann.....	2651 Chouteau avenue.
105.....	Ellis Ernst.....	2641 Chouteau avenue.
106.....	Alexander True.....	2215 Chouteau avenue.
107.....	Lazarus Arbuckle.....	2623 Papin street.
108.....	Washington Wallis.....	2625 Papin street.
109.....	John J. Moran.....	805 South Twenty-second street.
110.....	Michael Kamp.....	2603 Chouteau avenue.
111.....	M. N. Prinster.....	2303 Hickory street.
112.....	William Henekler.....	2237 Chouteau avenue.
113.....	Matthew Reedy.....	2634 Papin street.
114.....	William Perkin.....	2322 Papin street (rear).
115.....	Henry Meyer.....	2343 Chouteau avenue.
116.....	Albert Bequeret.....	2329 Chouteau avenue.
117.....	George C. Tod.....	2335 Chouteau avenue.
118.....	W. E. Robertson.....	2301 Hickory street.
119.....	Patrick Moran.....	2634 Papin street.
120.....	John H. Meyer.....	921 South Jefferson avenue.
121.....	L. Meyer.....	2310 La Salle street.
122.....	Andrew Glover; in other book Andrew F. Glover.	2300 Papin street.
123.....	Frank Bright.....	2300 Papin street.
124.....	Amos Glover.....	2300 Papin street.
125.....	Fleming Glover.....	2300 Papin street.
126.....	H. G. Mochle.....	2301 Hickory street.
127.....	Thos. Joiee.....	2634 Papin street.
128.....	Osear W. Hunsaker.....	1010½ South Jefferson avenue.
129.....	Joseph Seelinger.....	2331 Chouteau avenue.
130.....	Theodore Schoetler.....	2221 Chouteau avenue.
131.....	N. J. Clark.....	2602 Papin street.
132.....	James Lyons.....	2310 La Salle street.
133.....	Henry Baker.....	2226 Papin street.
134.....	John W. McCarthy.....	2322 La Salle street.
135.....	Philip Eisenhaur.....	2319 Chouteau avenue.
136.....	Alexander Stewert.....	2335a Chouteau avenue.
137.....	Eugene Paerl.....	2321 Papin street.
138.....	Joseph V. Steele.....	2315 Papin street.
139.....	Edward Miller, jr.....	2328 Papin street (rear).
140.....	Frank Boyer.....	2327 Papin street.
141.....	Edward Olszenski, jr.....	2209 Chouteau avenue.
142.....	James Scott.....	906 West Jefferson avenue.
143.....	Walter Murphy.....	2322 La Salle street.
144.....	Oliver Mills.....	2311 Papin street.
145.....	Isaac Cox.....	2319 Hickory street.
146.....	Hugh Kelly.....	2634 Papin street.
147.....	Peter H. Meyer.....	1117 Missouri avenue.
148.....	William H. O'Hare.....	2323a La Salle street.
149.....	August M. Kaiser.....	2324 La Salle street (rear).
150.....	Frederick H. Zilm.....	915a South Twenty-second street.
151.....	Michael Geoghegan.....	2322 La Salle street.
152.....	James J. Hade.....	2317 Chouteau avenue.
153.....	Jacob Johnson.....	2627 Papin street.
154.....	William A. Voss.....	2329 Chouteau avenue.
155.....	John Uhl.....	2308 La Salle street (rear).
156.....	Martin Carroll.....	2317 Hickory street.
157.....	Frank Irons.....	2325 Papin street.
158.....	Henry Kleinhaus.....	2637 Chouteau avenue.
159.....	John Driscoll.....	2633 Papin street.
160.....	Chas. B. Kuerin.....	1113 Missouri avenue.
161.....	Thos. J. Fitzgerald.....	2319 Chouteau avenue.
162.....	Willis Martin.....	2619 Papin street.
163.....	James Smith.....	2319 La Salle street.
164.....	George Harveson.....	2622 Papin street.
165.....	Jas. B. Taylor.....	2309 Chouteau avenue.
166.....	Frank Smith.....	2319 La Salle street.
167.....	P. E. Davison.....	2355a Hickory street.
168.....	Louis Martin.....	2310 La Salle street.
169.....	John J. Galligher.....	908 West Jefferson avenue.
170.....	Jos. M. Donohue.....	2349 Hickory street.
171.....	Lawrence J. Kennedy.....	917 South Twenty-second street.
172.....	Cass Landers.....	2328 Papin street.
173.....	Rufus Landers.....	2328 Papin street.
174.....	Edward Olszenski.....	2309 Chouteau avenue.
175.....	Louis Bender.....	2306 Chouteau avenue.

Number.	Name.	Address.
176.....	Chas. A. Kleinhaus.....	2316 Chouteau avenue.
177.....	Max May.....	2315 Hickory street.
178.....	John J. Loftus.....	2649 Chouteau avenue.
179.....	Michael J. Cooney.....	2301 Chouteau avenue.
180.....	James Cain; in other book James J. Cain.	2323 La Salle street.
181.....	J. I. Huggins.....	2632 Papin street.
182.....	Samuel J. Burch, jr.....	2326 Papin street.
183.....	John B. Thornton.....	2326 Papin street.
184.....	James A. Short.....	2830 Papin street.
185.....	Warren Crigler.....	2318 Papin street.
186.....	William Woestendick.....	2651 Chouteau avenue.
187.....	Albert Bruere.....	2321 La Salle street.
188.....	August H. Schepman.....	2310 Chouteau avenue.
189.....	Frank Guipon.....	2327 Hickory street.
190.....	Chas. Dudley.....	2321 La Salle street.
191.....	George S. Weaver.....	2323 Chouteau avenue.
192.....	John Ackerman.....	2320 Chouteau avenue.
193.....	John Moran.....	2322 La Salle street.
194.....	Henry Brigg.....	2228 Papin street.
195.....	Frank J. Wiget.....	2330 Papin street.
196.....	Fred Niemann.....	2621 Chouteau avenue.
197.....	Peter Halloren.....	821 South Twenty-second street.
198.....	Oscar H. Bishopp.....	2327 Chouteau avenue.
199.....	John Fitzgerald.....	2306 Chouteau avenue.
200.....	Richard I. Huggins.....	2607 Papin street.
201.....	John H. Yandell, jr.....	912 West Jefferson avenue.
202.....	Richard H. Weir.....	2647 Papin street.
203.....	Victor Beisswinger.....	2345 Hickory street.
204.....	J. F. Meyer.....	2310 La Salle street.
205.....	Louis Shelton.....	2327 Papin street.
206.....	Edward Garnet.....	2204 Papin street.
207.....	George Young.....	2303 Chouteau avenue.
208.....	George Kuchenbueh.....	2615 Chouteau avenue.
209.....	Patrick Timlin.....	2634 Papin street; in other book 2624.
210.....	Elijah Taylor.....	2240 Gratiot street.
211.....	James Casey.....	2837 Papin street.
212.....	J. P. Miller.....	2609 Papin street.
213.....	Louis Keil.....	811 South Twenty-second street.
214.....	Gus Bruggeman; in other book Bruggman.	2243 Chouteau avenue.
215.....	George Creed.....	815 South Twenty-second street.
216.....	John Nolan.....	811 South Twenty-second street.
217.....	J. K. McMaster.....	2243 Chouteau avenue.
218.....	Fred Boedicker.....	811 South Twenty-second street.
219.....	Narle Johnson.....	821 South Twenty-second street.
220.....	Sidney Johnson.....	813 South Twenty-second street.
221.....	William Phillips.....	813 South Twenty-second street.
222.....	Robert Keil.....	811 South Twenty-second street.
223.....	William Kinney.....	2243 Chouteau avenue.
224.....	Owen Conlins.....	2333 Hickory street.
225.....	James Conlin.....	2333 Hickory street.
226.....	Albert P. Cox.....	2321a Hickory street.
227.....	Joe Hopkins.....	2347 Hickory street.
228.....	Frank G. Delaney.....	2635 Papin street.
229.....	C. G. Bowman.....	2319a Hickory street.
230.....	J. T. Collins.....	2324 La Salle street.
231.....	Ewing Young; in other book Joung ..	2637 Chouteau avenue.
232.....	Jesse Dunagan.....	2331 Papin street.
233.....	King Jones.....	2602 Papin street.
234.....	Frank Rydzy.....	2209 Chouteau avenue.
235.....	George Winsby.....	2243 Chouteau avenue.
236.....	Joseph Kurruss.....	2329 Hickory street.
237.....	William Williams.....	2216 Papin street.
238.....	Joseph Barry.....	910 West Jefferson avenue.
239.....	David Kirkwood.....	2239 Chouteau avenue.
240.....	William Brandhorst, jr.....	2323 Chouteau avenue.
241.....	George Foster.....	2637 Papin street.
242.....	Chas. H. Fields.....	2214 Papin street.

By Mr. CLINE:

Q. Will you examine the certificate of the judges and clerks, and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. Yes. James J. Butler received 135 votes; George C. R. Wagoner received 90 votes; Henry Artz received 3 votes.

Q. How many of the judges and clerks have signed the certificate to which you have referred?—A. Four judges and two clerks.

Q. Will you produce the poll books used in precinct No. 11 of the Twenty-second Ward at the said election on November 4, 1902, in the city of St. Louis, Mo., and

read therefrom the number and address and name of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in said book?—A. Yes.

Number.	Name.	Address.
1.....	I. D. Morgan.....	3337 Laclede avenue.
2.....	Loenard Hunker.....	3307a Laclede avenue.
3.....	G. L. Hart; in other book, J. L. Hart..	3225 Pine street.
4.....	Chas. D. Jones.....	3207 Laclede avenue.
5.....	Herman Frankie; in other book, Franky.	3303 Pine street.
6.....	Wm. Buckner.....	3230 Lawton avenue.
7.....	Wm. Meer.....	3215a Lawton avenue.
8.....	E. P. Jordon.....	3229½ Laclede avenue.
9.....	James J. Sullivan.....	3107 Laclede avenue.
10.....	Hiram Ketcham; in other book, Horace F.	3329 Pine street.
11.....	Thos. Cavanaugh.....	3252 Olive street.
12.....	Ben Burkhardt.....	3336 Pine street.
13.....	P. J. Kneist; in other book, P. J. Kniest, sr.	3216 Lawton avenue.
14.....	Wm. Scott.....	3336 Pine street.
15.....	Lawrence Sullivan.....	3107 Laclede avenue.
16.....	Jos. Weyrich.....	3223 Lawton avenue.
17.....	Ed Thomas.....	3119 Laclede avenue.
18.....	John F. Ryan.....	3209 Lawton avenue.
19.....	Alex Rose.....	3217 Lawton avenue.
20.....	M. J. Murphy.....	3327 Pine street.
21.....	F. L. O'Rourke.....	3231 Lawton avenue.
22.....	W. J. Cantillion.....	3318 Lawton avenue.
23.....	Alfred A. Mathey.....	3303a Laclede avenue.
24.....	T. B. Gale.....	3325 Pine street.
25.....	Max Lipshitz.....	3222 Pine street.
26.....	Frank C. Wyrich.....	3223 Lawton avenue.
27.....	Ed Sheny.....	3229½ Laclede avenue.
28.....	James Hanley.....	3323 Pine street.
29.....	J. H. Morgan.....	3337 Laclede avenue.
30.....	H. M. Kelsey.....	3323 Pine street.
31.....	John Meier.....	3106 Lawton avenue.
32.....	W. L. Simpson.....	3333 Laclede avenue.
33.....	J. C. Matthews.....	3333 Laclede avenue.
34.....	A. Walbaum.....	3236 Pine street.
35.....	A. McHugh; in other book, A. M. Hugh	3225a Laclede avenue.
36.....	Phil Sheridan.....	16 North Compton avenue.
37.....	John Noonan.....	206 North Channing avenue.
38.....	Jas. Williams.....	3230 Lawton avenue.
39.....	O. P. Mallard.....	3305 Lawton avenue.
40.....	H. W. Beck.....	3319 Pine street.
41.....	George Cowie.....	3215 Lawton avenue.
42.....	F. A. Fanning.....	3230 Pine street.
43.....	R. H. Whitelaw.....	3234 Pine street.
44.....	Alex Parquette.....	3230 Lawton avenue.
45.....	R. T. Whitelaw.....	3234 Pine street.
46.....	Jos. Burger.....	3336 Lawton avenue.
47.....	Wm. R. Brenton.....	3313 Lawton avenue.
48.....	Martin E. Head.....	14 North Compton.
49.....	E. B. Foley.....	3320 Lawton avenue.
50.....	Herbert Langsdorf.....	3133 Laclede avenue.
51.....	John T. Karbe.....	3100 Lawton avenue.
52.....	Olan D. Whittier.....	3301 Pine street.
53.....	C. C. Vanderbeck.....	3113 Laclede avenue.
54.....	L. C. Wyrich.....	3223 Lawton avenue.
55.....	J. D. Carson.....	3113 Laclede avenue.
56.....	W. E. Gray.....	3145 Laclede avenue.
57.....	P. J. Lynch.....	26 North Compton avenue.
58.....	Ben P. Goodwin.....	3237 Pine street.
59.....	Morris Kemp.....	3315 Lawton avenue.
60.....	Jacob Berger.....	3307 Lawton avenue.
61.....	Alex Suss.....	3133 Laclede avenue.
62.....	G. O. Larkins; in other book, J. O. Larkins.	3329 Pine street.
63.....	A. Gucuzberger.....	3329 Pine street.
64.....	Hiram Lloyd.....	3111 Laclede avenue.
65.....	John J. Ryan.....	3311 Pine street.
66.....	J. A. Brower.....	3229 Pine street.
67.....	Richard E. Taylor.....	3315 Pine street.
68.....	A. W. Quinn.....	3202 Pine street.
69.....	Jos. H. Temm.....	3201 Lawton avenue.
70.....	W. H. Walker.....	3218 Lawton avenue.
71.....	R. Weaver.....	24 North Compton avenue.
72.....	C. R. Booker.....	3303 Pine street.
73.....	W. H. McClain.....	3306 Pine street.
74.....	W. H. Brewer.....	3202a Olive street.
75.....	George F. Beck.....	3319 Pine street.

Number.	Name.	Address.
76.....	Antoine Simonds	3215 Lawton avenue.
77.....	C. Weaver	24 North Compton avenue.
78.....	John J. McCurnan	210 North Channing avenue.
79.....	S. T. Johnson	3322 Pine street.
80.....	S. F. Sillers	3334 Olive street.
81.....	W. P. Dye	3230 Lawton avenue.
82.....	Thos. Cantillion	3318 Lawton avenue.
83.....	John Eckert	3131 Lawton avenue.
84.....	Wm. Johnston	3200 Pine street.
85.....	Jas. T. Cushman	3129 Laclede avenue.
86.....	Jas. F. Brazier	3231 Lawton avenue.
87.....	Harry E. Brinton	3313 Lawton avenue.
88.....	C. T. Mulroy	3307 Pine street.
89.....	Edward T. Hart	3225 Pine street.
90.....	Jos. W. Miller, sr.	3216 Pine street.
91.....	Jesse A. Murphy	3327 Pine street.
92.....	J. S. Watson	3210 Lawton avenue.
93.....	L. M. Wyrich	3223 Lawton avenue.
94.....	Geo. K. Walker	3300a Lawton avenue.
95.....	A. J. Pareiene; in other book, Brarario.	3315 Lawton avenue.
96.....	Frank Frisdie	3240 Olive street.
97.....	John J. Lang	3118 Lawton avenue.
98.....	A. E. Cunningham	3313 Laclede avenue.
99.....	John H. Meer	3215 Lawton avenue.
100.....	Wm. Jones	3220 Lawton avenue.

At the hour of 5.45 p. m. I adjourned the further taking of testimony in this cause until the hour of 7 p. m. of this 2d day of January, 1903.

At the hour of 7.30 p. m. of this 2d day of January, 1903, I resumed the further taking of these depositions, pursuant to adjournment.

By Mr. CLINE:

Q. Will you please proceed with the reading from the poll book of the eleventh precinct, Twenty-second Ward?—A. Yes.

Number.	Name.	Address.
101.....	G. H. Sheldon	3214 Lawton avenue.
102.....	P. M. Boyd	3105 Laclede avenue.
103.....	Phil. Deveraux	3330 Olive street.
104.....	E. A. Wunder	18 North Compton avenue.
105.....	Abe Slupsy	3319 Laclede avenue.
106.....	Chas. Terhewen	3219 Pine street.
107.....	J. E. Nance	3320 Pine street.
108.....	W. F. Edinger	3335 Pine street.
109.....	John Keating	3301 Lawton avenue.
110.....	N. L. Fink	3225 Pine street.
111.....	A. L. Hirsch	3331 Pine street.
112.....	Geo. J. Phelps	3323 Pine street.
113.....	Tom O'Leary	3250 Olive street.
114.....	Andrew M. Lawrence	3217 Laclede.
115.....	James Baron	3231½ Laclede avenue.
116.....	G. W. Roscoe	3209 Laclede avenue.
117.....	Jno. J. Devine	3228 Olive street.
118.....	H. R. McLain	3306 Pine street.
119.....	C. H. Haughton	3218 Olive street.
120.....	R. C. Whiting	217 North Compton avenue.
121.....	W. A. Ketchum	3207 Laclede avenue.
122.....	W. T. Elder	3205 Pine street.
123.....	C. C. McCoy	3210 Lawton avenue.
124.....	M. Gumpertx	221 North Compton.
125.....	Thomas F. Hasselt	3204 Pine street.
126.....	August H. Sante	3141 Laclede avenue.
127.....	Wm. J. Hilton	3328 Olive street.
128.....	James P. Brennan	3231 Laclede avenue.
129.....	R. J. Richardson	3147 Laclede avenue.
130.....	C. C. Dannrhein	3310 Lawton avenue.
131.....	Scotty Skirlock	3218 Olive.
132.....	Harry G. Redmond	3223 Laclede avenue.
133.....	Chas. Henry	3330 Pine street.
134.....	James J. Green	3224 Olive street (rear).
135.....	Nat B. Browning	3203 Laclede avenue.
136.....	F. N. Wiggelnhorn	3229 Pine street.
137.....	A. T. Lincoln	3306 Pine street.
138.....	Silas Toy	3248 Olive street.
139.....	James Gamble	3222 Olive street.
140.....	Chas. J. Beck	3309 Pine street.
141.....	R. J. Gilbert	3101 Laclede avenue.
142.....	N. L. Lincoln	3306 Pine street

Number.	Name.	Address.
143.	Moses Williams.	3119 Laeledge avenue.
144.	John D. Lang.	3226 Lawton avenue.
145.	Clarence E. Miller.	3216 Pine street.
146.	Wm. G. Aldridge.	3307 Laeledge avenue.
147.	J. W. Miller, jr.	3216 Pine street.
148.	J. H. Mackey.	3328 Lawton avenue.
149.	E. O. Guild.	3135 Laeledge avenue.
150.	Wm. Landenberg.	3327 Laeledge avenue.
151.	E. W. Moore.	3218 Pine street.
152.	Michael O'Rourke.	3231 Lawton avenue.
153.	J. J. Simmons.	3201 Pine street.
154.	Geo. A. Cornett.	3331 Laeledge avenue, in other book 3131 Laeledge.
155.	John Dowdall.	3143 Laeledge avenue.
156.	Chas. S. Smith.	3239 Olive street.
157.	D. W. Scott, in other book E. W. Scott.	3232 Lawton avenue.
158.	Otto Ochmsted.	3234 Olive street.
159.	Fred. Bente.	206 North Channing avenue.
160.	D. Schaefer.	204 North Channing avenue.
161.	A. P. Richardson.	3147 Laeledge avenue.
163.	F. J. Van Winkle.	3201 Laeledge avenue.
163.	A. S. Langsdorf.	3133 Laeledge avenue.
164.	P. T. Bohn.	3201 Laeledge avenue.
165.	G. M. Johnston.	16 North Compton avenue.
166.	W. J. Noble.	3326 Lawton avenue.
167.	Clarence H. Noble.	3326 Lawton avenue.
168.	Dan Haley.	3252 Olive street.
169.	Matthew Slattery.	3252 Olive street.
170.	T. J. Coston.	3251 Laeledge avenue.
171.	G. G. Murphy.	3327 Pine street.
172.	A. Nachtmann.	3217 Pine street.
173.	G. G. Kicker.	3201 Laeledge avenue.
174.	R. H. Pennington.	3200A Olive street.
175.	G. Zeidler.	221 North Compton avenue.
176.	A. W. Davidson.	3217 Pine street.
177.	Henderson Combs.	3118 Lawton avenue.
178.	G. E. McAllister.	3203 Laeledge avenue.
179.	W. C. Blount.	3319 Pine street.
180.	M. Dougherty.	3114 Lawton avenue.
181.	Pat Neville.	3252 Olive street.
182.	Wm. H. Elkins.	3205 Lawton avenue.
183.	Edward Cancillon.	3318 Lawton avenue.
184.	John W. Howard.	3219 Pine street.
185.	Wm. James.	3231 Olive street.
186.	J. A. Bryant.	3139 Laeledge avenue.
187.	John Clifton.	3252 Olive street.
188.	A. Cook.	3300 Lawton avenue.
189.	John Connolly.	3311 Laeledge avenue.
190.	Michael J. Devine.	3226 Olive street.
191.	M. Newman.	206 North Channing avenue.
192.	J. W. Thompson.	3322 Lawton avenue.
193.	Chas. Mesler.	3324 Lawton avenue.
194.	B. F. Hughs.	3236 Olive street.
195.	George Spoerl.	3236 Pine street, in other book 3336 Pine street.
196.	S. C. Mount.	223 North Compton avenue.
197.	Ed. Seward.	3327 Pine street.
198.	John E. Mquartars.	3206 Pine street.
199.	A. Bejack.	3233 Lawton avenue.
200.	E. L. Reynolds.	208 North Channing avenue.
201.	Fred. Williams.	3311 Pine street.
202.	Frank Rhea.	3315 Pine street (rear).
203.	Oscar Stark.	3334 Olive street.
204.	Clinton Hale.	3330 Pine street.
205.	S. H. Reader.	3314 Lawton avenue.
206.	Wm. Hull.	3338 Lawton avenue.
207.	Jos. T. Dugdale.	3227 Lawton avenue.
208.	Hudson Talbot.	3151 Laeledge avenue.
209.	Wm. R. Morgan.	3233 Pine street.
210.	Wm. Hobbs.	20 North Compton avenue.
211.	I. Russick.	3317 Lawton avenue.
212.	Wm. Sanders.	221 North Compton avenue.
213.	J. R. Davis.	3211 Pine street.
214.	Frank Browning.	217 North Compton avenue.
215.	David M. Cotter.	3301 Laeledge avenue.
216.	John Ryan.	3149 Laeledge avenue.
217.	F. M. Boyer.	3136 Lawton avenue.
218.	D. Caruthers, jr.	3325 Laeledge avenue.
219.	H. V. Nesbit.	3233 Pine street.
220.	J. W. Mackey, jr.	3236 Pine street.
221.	Chas. S. Plato.	3315 Pine street.
222.	G. H. Mallon.	3129 Laeledge avenue.
223.	E. Caruthers.	3325 Laeledge avenue.
224.	A. J. McHugh.	3225A Laeledge avenue.
225.	C. E. Brainard.	3313 Lawton avenue.

Number.	Name.	Address.
226	A. E. Kneist	3216 Lawton avenue.
227	J. Foley	3252 Olive street.
228	John W. Sultzer	3233 Pine street.
229	M. Dargin	3226 Pine street.
230	Chas. A. Fruitt	3331 Pine street.
231	S. S. Silvey	3205 Laclede avenue.
232	C. F. Ridgeway	3228 Olive street.
233	F. D. Mundinger	3301A Laclede avenue.
234	C. W. Ames	21 North Compton avenue.
235	S. A. Mathers	3217 Pine street.
236	A. Spilker	3338 Lawton avenue.
237	E. J. Scott	3114 Lawton avenue.
238	Thos. Poston	3151 Laclede avenue.
239	Willard C. Killen	3202 Pine street.
240	Patrick Garraty	3252 Olive street.
241	B. J. Kneist	3216 Lawton avenue.
242	Simon Suss	3133 Laclede avenue.
243	Thos. King	3230 Olive.
244	J. H. Martin	3342 Olive street.
245	A. T. Robinson	3215 Laclede avenue.
246	Geo. T. Healy	3226 Olive street.
247	E. J. Butler	3329 Pine street.
248	Ramon Fagan	3225B Laclede avenue.
249	L. A. Boone	26 North Compton avenue.
250	Chas. J. Lang	3226 Lawton avenue.
251	Jas. Smith	3329 Pine street.
252	George H. Speiss	3130 Lawton avenue.
253	Thos. Gleason	3218 Olive street.
254	T. A. Morgan	3237 Pine street.
255	W. H. Caruthers	3325 Laclede avenue.
256	Chas. Hopkins	217 North Compton avenue.
257	J. L. Weight	3321 Laclede avenue.
258	H. N. Gettingo	3240 Olive street.
259	Jno. W. Ranson	3213 Pine street.
260	Wm. J. Riley	3204 Lawton avenue.
261	Ben Keeler	20 North Compton avenue.
262	J. E. Smith	3238 Olive street.
263	Jos. Cuny, in other book Jos. Keny	3105 Laclede avenue.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. Yes. James J. Butler received 152 votes; George C. Wagoner received 90 votes; Henry H. Artz received 4 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have referred?—A. Four judges and two clerks signed both poll books.

Q. Will you produce the poll books used in precinct No. 3 of the Twenty-third Ward at said election on the 4th of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at number one and continuing in consecutive order to and including the last name in each of said poll books?—A. Yes.

Number.	Name.	Address.
1	Harry E. Whalen; in other book, Harry G. Wahlen.	513 South Ewing.
2	Everett Barker	2940a Scott avenue.
3	Aaron Eallon	2941 Scott avenue.
4	S. B. Brown	534 South Montrose.
5	Wm. O'Rourke	514 Montrose avenue; in other book, 513 Montrose avenue.
6	Jno. Siepke	316 South Garrison avenue.
7	Wm. Barry	400 South Garrison avenue.
8	Benj. Dresser	331 South Garrison.
9	F. E. Mason	329 South Garrison.
10	Allen Fields	420 Montrose avenue.
11	Aug. Iserman	403a South Ewing.
12	And Allison	626 South Garrison.
13	Jno. Corbett	2940 Scott avenue.
14	H. T. Wood	2947 Scott avenue.
15	James Rowe	404 Garrison avenue.
16	Jas. Dwyer	418 South Garrison avenue.
17	Ed. Eaves	402 South Garrison avenue.
18	Jno. Noonan	403 South Garrison.
19	Jno. Cummings	412 South Garrison avenue.
20	Rob Short	315 South Garrison avenue.

Number.	Name.	Address.
21.....	Berd. Schlangen; in other book, Schlaney.	501 Montrose avenue.
22.....	Phil Hemlock	424 South Garrison.
23.....	Bernard Fagan	321 South Ewing.
24.....	Suke Adams; in other book, Abraham Adams.	2956 Scott avenue.
25.....	M. J. O'Brien	408½ Montrose avenue.
26.....	Wm. Von Ende	532 South Garrison avenue.
27.....	Pat Duffy	601 South Ewing.
28.....	Jas. Kelly	320 South Garrison avenue.
29.....	Herman Hoheinfelt	216 South Garrison.
30.....	Pete J. Cramer	608 South Garrison avenue.
31.....	Wm. Williams	519 South Ewing avenue.
32.....	Geo. Barry	400 South Garrison.
33.....	J. J. Sullivan	318 South Garrison avenue.
34.....	M. J. Donehue	503 South Garrison avenue.
35.....	F. C. Nealon	414 South Garrison.
36.....	Jas. Fagan	325 South Ewing.
37.....	Alex H. Holm	405a South Garrison avenue.
38.....	Jno. W. Kennedy	404 South Garrison.
39.....	Jno. Gannon	612 South Garrison.
40.....	W. E. Sexton	416 Montrose avenue.
41.....	Joe Donehue	503 South Garrison.
42.....	Chas. Sowe	506 South Garrison.
43.....	Henry Hawkins	617 South Ewing.
44.....	E. O'Donnell	406½ Montrose avenue.
45.....	Henry Meyer	509 South Garrison avenue.
46.....	George Geekie	514 South Garrison avenue.
47.....	M. Hogan	523 South Garrison.
48.....	C. S. Gronemeyer	2954 Clark avenue.
49.....	Ed. Harrington	508 South Garrison.
50.....	A. S. Thomas	2947 Scott avenue.
51.....	Pat J. McMahan	526 Montrose avenue.
52.....	Syl Sullivan	2932½ Clark avenue.
53.....	B. R. Rowe	2949 Scott avenue.
54.....	Ed. A. Kunnell	2953 Scott avenue; in other book, 2953 Atlantic street.
55.....	Tom Whalen	532 South Garrison.
56.....	Thos. Walsh	410 Montrose avenue.
57.....	M. Dwyer	420 South Garrison avenue.
58.....	Dan. S. Laughlin	523 South Garrison.
59.....	James Scott	533 Ewing avenue.
60.....	Thos. P. Kelly	425 South Ewing.
61.....	Chas. Burckhart	509 South Ewing.
62.....	Jno. Sutton	545 South Ewing.
63.....	M. G. Farber; in other book, Faber ..	402 Montrose avenue.
64.....	Wm. Meyer	325 South Garrison.
65.....	Thomas Harrington	508 South Garrison.
66.....	D. J. O'Brien	408½ Montrose avenue.
67.....	Jas. Murray; in other book, Murry ..	545 South Ewing avenue.
68.....	Mount Murray; in other book, Murry ..	545 South Ewing.
69.....	Jno. Murray; in other book, Murry ..	545 South Ewing.
70.....	T. S. McKenzie	320 Montrose avenue.
71.....	D. A. Noonan	403 South Garrison.
72.....	Terry McNichols	415 South Garrison.
73.....	Pat O'Donnell	2932 Clark avenue.
74.....	Chas. B. Hartry	540 South Garrison.
75.....	Jno. Ash; in other book, J. Pat Ash ..	411 South Ewing.
76.....	Jas. McDonald	2939 Scott avenue.
77.....	Henry S. Green	427 South Garrison.
78.....	Henry Floyd; in other book, Benj. Floyd.	2944 Scott avenue.
79.....	M. Williams	2913 Atlantic street.
80.....	James Woods	507 South Ewing.
81.....	Pat Birmingham	512 South Garrison.
82.....	David Scott	533 South Ewing.
83.....	Geo. McKenna	408 Montrose.
84.....	Jas. Krindson	621 South Ewing.
85.....	Wm. McKenzie	406½ Montrose avenue.
86.....	Wm. McKenzie	320 Montrose avenue.
87.....	Ed. Ryan	319 South Ewing avenue.
88.....	Thos. Macklin	519 South Garrison avenue.
89.....	Thos. Smith	522 South Garrison; in other book, 402 South Garrison.
90.....	Joseph Walsh	410 Montrose avenue.
91.....	John Geekie	406 Montrose avenue.
92.....	J. G. Siegel	410 South Garrison.
93.....	Henry Humfike	510 Montrose avenue.
94.....	J. P. O'Brien	408½ Montrose avenue.
95.....	Jno. M. Doyle	614 South Ewing.
96.....	Thos. J. Murphy	701 South Ewing.
97.....	Jno. McCarthy	509 South Garrison.
98.....	Dave I. O'Brien	529 South Garrison.
99.....	Thos. Kerney	607 South Ewing.
100.....	Chas. Geekie	514 South Garrison.

Number.	Name.	Address.
101.....	Chas. Pitcher.....	421 South Ewing.
102.....	Jos. W. Pullian.....	401 South Garrison.
103.....	Mat Ryan.....	413 South Garrison.
104.....	Geo. E. Baker.....	422 South Garrison.
105.....	D. S. Rowe.....	2949 Scott avenue.
106.....	Thos. Hayes.....	604 South Garrison.
107.....	Jno. P. Corbett.....	522 South Garrison.
108.....	Matt J. Davey.....	533 South Ewing avenue.
109.....	Richard Heade.....	513 South Garrison.
110.....	W. D. Edon.....	401½ South Garrison.
111.....	Peter Connell.....	413 South Ewing.
112.....	Pat Connolly.....	517 South Ewing.
113.....	M. J. Kennedy.....	419 South Garrison.
114.....	Pat Murphy.....	601 South Ewing.
115.....	Harry E. Baldwin.....	604 South Garrison.
116.....	Jas. M. Gamewell; in other book, Wm. M. Gamewell.....	619 South Ewing.
117.....	Owen Corcoran.....	502 South Garrison.
118.....	Jno. W. Nordman.....	2940 Clark avenue.
119.....	Peter Masterson.....	531 South Garrison.
120.....	Jos. Farrell.....	427 South Ewing.
121.....	Joseph Purcell.....	2951 Scott avenue.
122.....	Jno. A. Murray; in other book, Murry.....	545 Ewing avenue.
123.....	Edw. Cullen.....	321 South Ewing.
124.....	Jno. Cahm; in other book, Cahalm.....	513 South Ewing.
125.....	P. S. Casey.....	2934 Clark avenue.
126.....	Thos. Mellican.....	536 South Garrison.
127.....	Fred. W. Jung.....	329 South Ewing.
128.....	E. J. Fagan.....	313 South Garrison.
129.....	Wm. Kennedy.....	426 South Garrison.
130.....	Wm. F. Lockhart.....	2945 Atlantic street.
131.....	Wm. Mosley.....	519 South Ewing.
132.....	Jno. Mulvihill.....	607 South Ewing avenue.
133.....	Pat J. Head.....	318 Montrose avenue.
134.....	John Andrews.....	516 South Garrison avenue.
135.....	E. L. Armont.....	526 Montrose avenue.
136.....	Pritchard Shore.....	415 South Ewing avenue.
137.....	Jno. J. Peters.....	503 South Garrison avenue.
138.....	Pat Gannon.....	328 South Garrison avenue.
139.....	M. Noonan.....	103a South Garrison avenue.
140.....	E. M. Houlihan.....	416 Montrose avenue.
141.....	D. T. Dobbins.....	549 South Ewing.
142.....	John J. Masterson.....	531 South Garrison.
143.....	W. H. McHale.....	506 South Garrison.
144.....	Wm. Anderson.....	537 South Ewing.
145.....	Lawrence Walsh.....	426 Montrose avenue.
146.....	Geo. W. Hooper.....	318 Montrose avenue.
147.....	Steve Healon.....	414 South Garrison.
148.....	Joseph Luby.....	423 South Garrison.
149.....	Wm. M. Keyd; in other book, Key.....	428 Montrose avenue.
150.....	J. J. Klock.....	2940 Clark avenue.
151.....	Lee Apple.....	549 South Ewing.
152.....	Jno. O'Connor.....	527 South Garrison.
153.....	J. S. Corbett.....	602 South Garrison.
154.....	John Meliken.....	532 South Garrison.
155.....	N. F. Rainey.....	421 South Garrison.
156.....	Chas. Laurie.....	315 South Ewing.
157.....	Chas. F. Nolan.....	2942½ Clark avenue.
158.....	Henry Fisher.....	506 Montrose avenue.
159.....	Wm. Purcell.....	601 South Ewing.
160.....	John Houlihan.....	416 Montrose avenue.

At the hour of 10.30 p. m., of this 2d day of January, 1903, I adjourn the further taking of testimony in this cause until Saturday, January 3, 1903, at the hour of 9 o'clock a. m.

Pursuant to adjournment I resumed the taking of testimony in this cause this 3d day of January, 1903, at the hour of 9.30 a. m.

By Mr. KINSEY:

Q. Will you produce the poll books for the third precinct of the Twenty-third Ward of the city of St. Louis used by you prior to adjournment and read in consecutive order the remaining numbers, names, and addresses of voters recorded therein?—

A. Yes.

Number.	Name.	Address.
161.....	J. J. McNichols.....	415 South Garrison avenue.
162.....	J. J. Cain.....	328 Garrison avenue.
163.....	J. W. Densbacher.....	314 Montrose avenue.
164.....	J. P. Ash.....	411 Ewing avenue.

Number.	Name.	Address.
165.	Ed P. Armont	526 Montrose avenue.
166.	Pat O'Donnell	2932 Clark avenue.
167.	Wm. Gaunt	2945 Atlantic street.
168.	Pat Jordan	607 South Ewing avenue.
169.	Pat Connely	517 South Ewing avenue.
170.	Pat McNichol	415 South Garrison avenue.
171.	Thos. F. McNichol	415 South Garrison avenue.
172.	Jno. McDonnell	407 South Ewing avenue.
173.	Maurice Welsh	506 South Garrison avenue.
174.	Jno. D. Waller	326 South Garrison avenue.
175.	Jno. W. Dugan	610 Garrison avenue.
176.	Wm. Craven	512 Garrison avenue.
177.	Geo. Kinsley	527 South Ewing avenue.
178.	Jno. Flannery	547 South Ewing avenue.
179.	Roger Walsh	2936 Clark avenue.
180.	Fred Minor	528 Montrose avenue.
181.	Edward McDonald	2918 Clark avenue.
182.	Benj. Crowder	2942 Scott avenue.
183.	John James	538 Montrose avenue.
184.	Wm. J. Duggan	610 South Garrison avenue.
185.	F. R. Schmidt	631 South Ewing avenue.
186.	M. A. Burk	415a South Ewing avenue.
187.	Wm. Luby	2958 Clark avenue.
188.	M. Keys	428 Montrose avenue.
189.	T. F. Davie	533 South Ewing avenue.
190.	Robert Carr	2958 Scott avenue; in other book, 3958.
191.	Geo. Kuhlman	526 South Garrison avenue.
192.	Michael Reed	424 Montrose avenue.
193.	Jas. M. Doyl	611 South Ewing avenue.
194.	Wm. Reaves	607 Ewing avenue.
195.	Thos. Ward	509 Garrison avenue.
196.	Phil A. Major	513 South Ewing avenue.
197.	Dan Gleason	2932 Scott avenue.
198.	Ed. Frost	510 Garrison avenue.
199.	Geo. Williams	2959 Atlantic street.
200.	M. Gleason	2932 Scott avenue.
201.	Cris Cuthe; in other book, Kuthe	511 Garrison avenue.
202.	Jno. Irving Ave.	512 Montrose avenue.
203.	Jere Sullivan	2932½ Clark avenue.
204.	Owen Gillihooley	523 Montrose avenue.
205.	Chas. Blanton	422 Montrose avenue.
206.	Jno. F. Breen	538 Ewing avenue.
207.	Maurice Hartnett	529 South Ewing avenue.
208.	Wm. Shelly	503 Garrison avenue.
209.	Mat J. Ryan	413 Garrison avenue.
210.	Jno. Deegan	407 South Ewing avenue.
211.	Jno. P. Luby	423 Garrison avenue.
212.	Jas. Kennedy	513, in other book 512, Garrison avenue.
213.	Hugh Hart	404 Montrose avenue.
214.	Wm. P. Farrill	427 South Ewing avenue.
215.	Joe P. Nolan	2942½ Clark avenue.
216.	Wm. Gorman	607 Ewing avenue.
217.	Jno. N. Slangan; in other book, Stang	504 Montrose avenue.
218.	Geo. P. Atwell	530 South Montrose; in other book, 308.
219.	Morris O'Connell	513 South Garrison avenue.
220.	Wm. J. Donehue	520 South Garrison avenue.
221.	Ed. F. Donehue	520 South Garrison avenue.
222.	Jas. Kennedy	513 South Ewing avenue.
223.	Con Kehlener; in other book, Callahan	522 South Garrison avenue.
224.	T. J. Clark	419 South Ewing avenue.
225.	Jno. Bunyon; in other book, Bunion	533 South Ewing avenue.
226.	W. F. Davis	2911 Atlantic street.
227.	Chas. Deegan	407 South Ewing avenue.
228.	D. Honlihan	416 Montrose avenue.
229.	L. A. Ryan; in other book, Lawrence R. Ryan.	413 South Garrison avenue.
230.	F. A. Connell	322 Montrose avenue.
231.	Thos. Hoban	412 South Garrison avenue.
232.	Geo. O. Barnes	2944 Clark avenue.
233.	Jno. Young	541 South Ewing avenue.
234.	Pres. Satelli; in other book, Preston Lytell.	529 South Ewing avenue; in other book, 539 South Ewing avenue.
235.	Chas. McNish	2954 Scott avenue.
236.	O. G. Irving	605 South Ewing avenue.
237.	Frank Deffery	316 Montrose avenue.
238.	Jno. Kennedy	513 Ewing avenue.
239.	Benj. Nichols	533 South Ewing avenue.
240.	Michael Conway	609 South Ewing avenue.
241.	Robt. McConnell	418 South Garrison avenue.
242.	Dan Kelleher	522 South Garrison avenue.
243.	A. Murphy	504 Montrose avenue.
244.	Jere Cronin	504 Montrose avenue.
245.	Robt. Seyfarth	612 South Garrison avenue.
246.	Frank Dougherty	427a South Garrison avenue.
247.	J. V. Teasdale	415 South Ewing avenue.

Number.	Name.	Address.
248.....	S. J. Walsh	426 Montrose avenue.
249.....	Jno. Palmer	528 Montrose avenue.
250.....	Ed. Reeve	425 South Garrison avenue.
251.....	Daniel Burgin	315 South Ewing avenue.
252.....	Thos. Barrett	541 South Ewing avenue.
253.....	W. J. Houlihan	416 Montrose avenue.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received at said precinct by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term?—A. Yes; Jas. J. Butler received 202 votes. George C. Wagoner received 51 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have just referred?—A. Four judges and two clerks have signed both poll books.

THOMAS CANNON and HENRY STREUTKER, both being sworn, testified on behalf of contestant as follows:

By Mr. KINSEY:

Q. Are you both clerks in the employ of board of election commissioners?—A. Yes.

Q. Have the poll books of the seventh precinct of the Fourteenth Ward used at the election held in the city of St. Louis of November 4, 1902, been delivered to you by Mr. Moore and Mr. Regan, having charge of said books?—A. Yes.

Q. Will you produce these books and read therefrom the number, name, and address of each voter recorded therein and continuing to and including the last number?—A. We will.

By Mr. WALSH:

Q. Gentlemen, is it not a fact that you have been specially secured by the election commissioners for the purpose of assisting in this investigation and that your salary is to be paid to you by the contestant, George C. R. Wagoner?—A. Yes, sir.

(The contestee has allowed this method of taking depositions to proceed for the purpose of facilitating the work in this investigation and to avoid the charge which has been so frequently made by one of contestant's attorneys. The contestee fully realizes how ridiculous and impossible it is for the notary, A. R. Russell, to take the depositions of Messrs. Cannon and Streutker at one place and Messrs. McCarty and Gunsolli at the same time at another place.)

Number.	Name.	Address.
1.....	Jessie W. Norton	2319 Adams street.
2.....	Andrew Powers or Andrew W. Powers	2329 Scott avenue.
3.....	Andrew Johnson or Andrew M. Johnson	2347 Scott avenue.
4.....	Walter A. Kolb	317 South Twenty-third street.
5.....	John T. O'Connor	2313 Randolph street.
6.....	William G. Mueller	2313 Clark avenue.
7.....	William Harris	317 South Twenty-third street.
8.....	Lom Hendrick	2311 Clark avenue.
9.....	Arthur I. Keymer	2302 Eugenia street.
10.....	C. H. Miller	2325 Clark avenue.
11.....	W. H. Clyne	2306 Eugenia street.
12.....	Charles Hepler	424 South Jefferson avenue.
13.....	William G. Medley	2327 Scott avenue.
14.....	Casper Weber	504 South Jefferson avenue.
15.....	P. J. Oslies	2348 Eugenia street.
16.....	W. W. Jumper	2347a Clark avenue.
17.....	P. C. Kelsey in one poll book, in the other T. C. Kelsey	424 South Jefferson avenue.
18.....	Otis Wilson	2333 Clark avenue.
19.....	Nick Bosley	2336 Adams street in one poll book, in the other 2326 Adams street.
20.....	John Tobin	2325 Randolph street.
21.....	A. P. Webb	535 South Twenty-third street.
22.....	John P. Walker	2322a Eugenia street.
23.....	Clarence Atkinson	2308 Eugenia street.
24.....	Pat J. Raferty	2327 Adams street.
25.....	William P. Conelly	2317 Randolph street.

Number.	Name.	Address.
26.	Eug. Lewis	2323 Clark avenue.
27.	Arnold Meister	2329 Atlantic street.
28.	A. J. Bange	2319½ Clark avenue.
29.	J. J. Quinn	2350 Clark avenue.
30.	Thomas Dunn	2331 Adams street.
31.	Bruce Shields	516 South Jefferson avenue.
32.	William L. Greene	2349a Clark avenue.
33.	John Ehrhardt	2341 Clark avenue.
34.	Mat. Tobin	2335 Randolph street.
35.	Harry W. White	2312 Scott avenue.
36.	John Bruner	533 South Twenty-third street.
37.	Aug. F. Blauckaert	424 South Jefferson avenue.
38.	Art Erikson	2338 Adams street.
39.	Peter Lamp	2329 Adams street.
40.	George P. Kolb	317 South Twenty-third street.
41.	William Ehrhardt	2326 Clark avenue.
42.	William B. Findlay	313 South Twenty-third street.
43.	Louis Everding	500 South Jefferson avenue.
44.	Harry E. James	2336 Adams street.
45.	Frank James	2336 Adams street.
46.	Thomas Henry	2328 Adams street.
47.	Jos. Tobin	2325 Randolph street.
48.	William Schoening	2341 Clark avenue.
49.	Wm. Macklind	2312 Eugenia street.
50.	Dean Bender	2340 Adams street.
51.	John V. Fitzgerald	2316a Adams street.
52.	Thos. A. Arnold	2324a Adams street.
53.	John T. Dolan	2347 Adams street.
54.	Con. Hough	2322 Eugenia street.
55.	Henry Walser	522 South Jefferson avenue.
56.	William Fogarty	2316 Scott avenue.
57.	Henry Heggman	2345a Scott avenue.
58.	Rose E. Merritt	420 South Jefferson avenue.
59.	Edw. Vaughan	2330 Eugenia street.
60.	Richard J. McDonald	2317 Clark avenue.
61.	James A. Hutton	2336 Eugenia street.
62.	Mich. Walsh	2316 Adams street.
63.	John Queen	2336 Scott avenue.
64.	R. F. Satchwell	2339½ Clark avenue.
65.	George Kubitsch	2351 Clark avenue.
66.	Thos. H. Macklind	2312 Eugenia street.
67.	Ed. Kolb	317 South Twenty-third street.
68.	Julius Bohlen	2352 Scott avenue.
69.	Thomas Clarkson	2319 Adams street.
70.	Aug. Everding	500 South Jefferson avenue.
71.	Lawrence Bruce	2319 Scott avenue.
72.	Chas. E. Harris	2337 Clark avenue.
73.	William Vetteroh	2339 Clark avenue.
74.	Bern. Cook	422 South Jefferson avenue.
75.	Wade Mathews	2313 Randolph street.
76.	Pat Flanigan	312a South Jefferson avenue.
77.	Clyde Smith	2353 Adams street.
78.	Chris. C. McGrath	2317 Randolph street.
79.	Joe McGann	531 South Twenty-third street.
80.	Patrick McEvinney	2328 Scott avenue.
81.	Chas. Young	2335a Adams street.
82.	Miller Bruce	2319 Scott avenue.
83.	John Wardle	2338½ Clark avenue.
84.	Henry Wettroth	2339 Clark avenue.
85.	Edw. H. Burns	2330 Scott avenue.
86.	John Williams	2300 Scott avenue in one poll book, in the other 539 South Twenty-third street.
87.	Jules Bertero	210 South Jefferson avenue.
88.	F. W. Busekeus	2336a Eugenia street.
89.	F. E. Zimmerman	513 South Twenty-third street.
90.	John J. Martin	2317 Adams street.
91.	Wm. P. McGrath	2317 Randolph street.
92.	Fred. Baceman	2353 Clark avenue.
93.	Wm. Dodge	2338 Adams street.
94.	Anton Geiger	504 South Jefferson avenue.
95.	James Estell	521 South Twenty-third street.
96.	Daniel Brantley	521 South Twenty-third street.
97.	M. J. Murphy	535 South Twenty-third street.
98.	Fred Schoening	2341 Clark avenue.
99.	Chas. Schmitt	533 South Twenty-third street.
100.	Michael Grolton	2331 Scott avenue.
101.	S. P. Walk	415 South Twenty-third street.
102.	Wm. Tierney	421 South Jefferson avenue.
103.	W. W. Gilbert	314 South Jefferson avenue.
104.	John Onyrne	2328 Scott avenue.
105.	J. C. Gilman	2363 Adams street.
106.	Ant. Jaeger	2348 Eugenia street.
107.	Ant. Gazzola	2353 Clark avenue.
108.	Harry Foster	405 South Twenty-third street.

Number.	Name.	Address.
109.	Wm. T. Collins	2330 Eugenia street.
110.	Otto T. Walser	522 South Jefferson avenue.
111.	Leonard Scheley	210 South Jefferson avenue.
112.	John Krankel	2328 Eugenia street.
113.	Chas. Walker	2322a Eugenia street.
114.	Geo. Swinnen	2315 Randolph street.
115.	Henry Molles	300 South Jefferson avenue.
116.	Gus Yaeger	2340 Clark avenue.
117.	John J. Wilmore	2340 Clark avenue.
118.	Wm. Fritchle	419 South Twenty-third street.
119.	T. A. Hickman	2332 Adams street.
120.	Nick J. Ryan	2317 Clark avenue.
121.	Geo. Bushmoecker	600 South Jefferson avenue.
122.	Thos. Fleming	2317 Clark avenue.
123.	Geo. F. Jacobs	2330 Scott avenue.
124.	A. W. Chanslor	2339 Adams street.
125.	John Jaeger	2348 Eugenia street.
126.	Joe Todd	215 South Twenty-third street.
127.	Thos. R. Smart	306 South Jefferson avenue.
128.	Michael J. Coine	312a South Jefferson avenue.
129.	Martin Nicholson	2347 Adams street.
130.	Wendle J. Dury	2328½ Clark avenue.
131.	Peter Lampe, jr.	2329 Adams street.
132.	A. H. Shulte	308 South Jefferson avenue.
133.	Jos. Schilly	2367 Adams street.
134.	Geo. W. Martin	2310 Randolph street.
135.	Wm. R. Bailey	2336 Clark avenue.
136.	Louis Gazzolo	2353 Clark avenue.
137.	Wm. T. Parker, jr.	2345a Clark avenue.
138.	W. E. Holmes	2327 Adams street.
139.	David A. O'Rourke	2345 Scott avenue.
140.	Wm. Stauss	2338½ Clark avenue in one poll book 2328½ in the other.
141.	Wm. Tate	2330 Clark avenue.
142.	Geo. W. Callahan	2353 Clark avenue.
143.	John Beisner	2300 Scott avenue.
144.	Albert Abram	2349 Scott avenue.
145.	Theo. Albes	2371 Adams street.
146.	Henry Brosend	2300 Scott avenue.
147.	John H. Weber	2300 Scott avenue.
148.	Geo. Franke	426 South Jefferson avenue.
149.	Edw. Fenlon	2328 Scott avenue.
150.	James H. Henry	2328 Adams street.
151.	John Roche	2304 Scott avenue.
152.	Geo. Hill	2317 Clark avenue.
153.	Martin J. Bosquett	2317 Clark avenue.
154.	Chas. Spiegel	411 South Twenty-third street.
155.	Geo. W. Westbrooke	415 South Twenty-third street.
156.	Geo. Ehrhardt	2303 Clark avenue.
157.	Jos. Findlay	313 South Twenty-third street.
158.	Theo. Jaques	512 South Jefferson avenue.
159.	John Geiger	2322 Adams street in one poll book and in the other book 504 South Jefferson avenue.
160.	W. D. Bell	2320 Eugenia street.
161.	John C. Gross	2343 Clark avenue.
162.	Milton Hyatt	2317 Clark avenue.
163.	James F. Bull	2315 Clark avenue.
164.	J. J. Johnson	2305 Clark avenue.
165.	Edw. F. Osborn	2353 Scott avenue.
166.	John B. Ryan	317 South Twenty-third street.
167.	John J. Foley	2349 Clark avenue.
168.	Alf Johnson	2305 Clark avenue.
169.	Hugo Scheas	2325 Atlantic street.
170.	Jos. Lawler	418 South Jefferson avenue.
171.	Art. Pritchett	2322a Eugenia street.
172.	Hy. Helbing	2317 Clark avenue.
173.	Chas. F. Davenport	2329 Scott avenue.
174.	H. R. Guild	2350 Clark avenue.
175.	John Ehrhardt, sr.	2326 Clark avenue.
176.	Sy Flynn	2336 Clark avenue.
177.	Lawrence J. O'Keefe	2310 Scott avenue.
178.	Patk. Cronin	2313 Clark avenue.
179.	J. J. McCabe	2340 Clark avenue.
180.	J. Vaughan	2330 Eugenia street.
181.	W. Elliott	306 South Jefferson avenue.
182.	C. E. Francisco	2325 Randolph street.
183.	Wm. J. Whitlock	2324 Scott avenue.
184.	George W. James	2336 Adams street.
185.	Thos. Cooke	2340 Adams street.
186.	Art Cooper	2334 Adams street.
187.	Leo J. Kelt	513a South Twenty-third street.
188.	Willard Soule	2336 Clark avenue.
189.	E. T. Murphy	2332 Eugenia street.
190.	Wm. Gross	2343 Clark avenue.

Number.	Name.	Address.
191.....	G. S. Mott	2325 Clark avenue.
192.....	Wm. G. Henkens	2338 Clark avenue.
193.....	W. H. Guendaker	2317 Clark avenue.
194.....	H. M. Grieve	413 South Twenty-third street.
195.....	Albert Walker	2322a Eugenia street.
196.....	Seb. Hartman	2314 Adams street.
197.....	Jos. Schrage	2355 Adams street.
198.....	John H. Morrison	2330 Clark avenue.
199.....	Theo. Pallisch	2339 Clark avenue.
200.....	Aug. Raeber	2329 Atlantic street.
201.....	Hy. Walt	2324 Eugenia street.
202.....	A. J. Ritter	2341 Atlantic street.
203.....	H. Lampe	2329 Adams street.
204.....	Geo. Newman	317 South Twenty-third street.
205.....	Dan Daley	2345 Scott avenue.
206.....	James Jacobs	2330 Scott avenue.
207.....	John Clarkin	2328 Scott avenue.
208.....	Hy. Weber	2342 Eugenia street.
209.....	Jos. Dodge	2338 Adams street.
210.....	Andw. J. Foster	2348 Adams street.
211.....	Benj. F. Chamberlain	2317 Clark avenue.
212.....	W. F. Harkreader	2317 Clark avenue.
213.....	Wm. Hawkins	2326 Adams street.
214.....	Fred Smith	527 South Twenty-third street.
215.....	Thos. Eagleton	2331 Scott avenue.
216.....	Paul Nest	2318a Scott avenue.
217.....	John H. Lloyd	2335 Adams street.
218.....	Oren M. Tate	2330 Clark avenue.
219.....	Bedford Brady	2339½ Clark avenue.
220.....	Theo. P. Trulove	2335 Clark avenue.
221.....	J. H. Trulove	2335 Clark avenue.
222.....	Geo. Trulove	2335 Clark avenue.
223.....	Benj. J. Mosley	2365 Adams street.

Q. Turn to the certificate of the judges and clerks attached to the poll books and give the vote as certified by them for the various candidates for Congress from the Twelfth district for the short term.—A. James J. Butler received 119 votes; George C. R. Wagoner received 89 votes; Henry H. Artz received 1 vote.

Q. Now, I will ask you how many of the judges and clerks signed each book?—A. Four judges and two clerks.

Q. Will you produce the poll books used in precinct No. 1 of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the number, name, and address of each voter as it appears in these books, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

Number.	Name.	Address.
1.....	Geo. Adams	1238 South Third street.
2.....	Geo. Paine	744 South Second street.
3.....	John Bartles	1240 South Third street.
4.....	Wm. Madden	736 South Second street.
5.....	Jos. Royer	816 South Third street.
6.....	John P. McGuire	123 Convent street.
7.....	Peter Aegerter	740 South Second street.
8.....	M. Bilenchi	746 South Second street.
9.....	John Flowers	912 South Third street.
10.....	Arie Thompson	820 South Third street.
11.....	Thos. Gibbens	211 Lombard street.
12.....	Oscar Day	912 South Third street.
13.....	Frank Blount	125 Cedar street.
14.....	James Casey	117 Convent street.
15.....	Sterling Edleman	909 South Second street.
16.....	Michael Lydon	816 South Second street.
17.....	Edw. Young	123 Cedar street.
18.....	Wm. J. Moore	731 South Second street.

At the hour of 1 o'clock I adjourned the further taking of testimony until the hour of 2 o'clock p. m. this 31st day of December, 1902.

Pursuant to adjournment, I commenced the further taking of testimony in this cause at the hour of 2.10 o'clock p. m. this 31st day of December, 1902.

Number.	Name.	Address.
19.....	Wm. Wiggins.....	120 Gratiot street.
20.....	Chas. Genins.....	1276 South Third street.
21.....	Victor C. Scheyerer.....	909 South Second street.
22.....	Mat. Bevert.....	119 Cedar street.
23.....	M. J. Downey.....	1252 South Third street.
24.....	Albert Handle.....	1248 South Third street.
25.....	Thos. Murrey.....	728 South Second street.
26.....	L. C. Barnes.....	807 South Second street.
27.....	J. F. Cole.....	806 South Third street.
28.....	Emerson Gardner.....	912 South Third street.
29.....	John F. Tracy.....	827 South Second street.
30.....	Ben Albright.....	1256 South Third street.
31.....	John H. Bush.....	700 South Second street.
32.....	John Callahan.....	744 South Second street.
33.....	Steven P. Hearty.....	137 Convent street.
34.....	Frank Jones.....	900 South Second street.
35.....	Christ Eleibel.....	746 South Second street.
36.....	Geo. Chartrand.....	915 South Second street.
37.....	Wm. Gokin.....	1217 Merchant street.
38.....	Eleck Banisder.....	129 Cedar street.
39.....	Joe Gourden.....	224 Lombard street.
40.....	Daniel B. Francis.....	143 Convent street.
41.....	John E. Godfrey.....	124 Convent street.
42.....	Philip J. Ferris.....	212 Lombard street.
43.....	Herman Buch.....	700 South Second street.
44.....	J. B. Salsgriver.....	915 South Second street.
45.....	Wm. Karch.....	740 South Second street.
46.....	Chas. Rapp.....	224 Lombard street.
47.....	Edw. Miller.....	827 South Second street.
48.....	Edw. Reichmann.....	914 South Second street.
49.....	Julius Jeep.....	742 South Second street.
50.....	Dan Farrell.....	909 South Second street.
51.....	Neff Yong.....	123 Cedar street.
52.....	Edw. Stock.....	1230 South Third street.
53.....	Stephen Johnson.....	905 South Second street.
54.....	Michil Geohagen.....	1224 South Third street.
55.....	Lorenz Mauer.....	734 South Second street.
56.....	Peter Kretz.....	918 South Second street.
57.....	Wm. Gardner.....	912 South Third street.
58.....	Jos. J. Mesties.....	909 South Second street.
59.....	Leo Mesties.....	224 Lombard street.
60.....	John J. Maurer.....	734 South Second street.
61.....	John H. Lee.....	829 South Second street.
62.....	Jos. Stevens.....	900 South Second street.
63.....	Lawrence Maloney.....	732 South Second street.
64.....	Adolph Baumann.....	736 South Second street.
65.....	Albert Smith.....	912 South Second street.
66.....	Gus Mayar.....	824 South Third street.
67.....	Edw. Dahlgreen.....	1246 South Third street.
68.....	James Rickaby.....	916 South Second street.
69.....	John Handmore.....	116 Plum street.
70.....	Nickolas Schultz.....	116 Plum street.
71.....	Pat. Burke.....	223 Chouteau avenue.
72.....	James J. McCann.....	224 Lombard street.
73.....	Joseph Katz.....	736 South Second street.
74.....	Chas. Ries.....	732 South Second street.
75.....	Andrew Scotch.....	222 Lombard street.
76.....	Peter Miller.....	804 South Third street.
77.....	Thomas Ganley.....	129 Convent street.
78.....	Theo. Steber.....	800 South Third street.
79.....	James Wall.....	122 Lombard street.
80.....	Ernst Wartmann.....	900 South Second street.
81.....	Daniel Jourdan.....	137 Convent street.
82.....	Richard Johnson.....	905 South Second street.
83.....	Jacob Wartmann.....	900 South Second street.
84.....	Frank Reichmann.....	900 South Second street.
85.....	Leo Eisenbach.....	914 South Second street.
86.....	John T. McGrath.....	810 South Third street.
87.....	Fred Leach.....	116 Plum street.
89.....	Jacob Schmidt.....	1270 South Third street.
90.....	Fred Scholz.....	1230 South Third street.
91.....	John P. Kelley.....	1229 Merchant street.
92.....	Wm. Rhodes.....	222 Lombard street.
93.....	John J. Parson.....	153 Convent street.
94.....	Conrad Bugley.....	804 South Third street.
95.....	Frank Kadeck.....	946 South Second street.
96.....	Henry Kern.....	116 Plum street.
97.....	Albert Reichmann.....	911 South Second street.
98.....	Patrick Ragen.....	1232 South Third street.
99.....	Leopold Parle.....	1231 Merchant street.
100.....	Henry Maloney.....	1230 South Third street.

Number.	Name.	Address.
101.	Benj. J. Luedke	736 South Second street.
102.	Harry M. Gordon	912 South Third street.
103.	Albert Baash	728 South Second street.
104.	Wm. Fitzgerald	906 South Third street.
105.	Vanz Delhoue	1234 South Third street.
106.	Andrew Hebron	711 South Second street.
107.	Chas. Handle	1248 South Third street.
108.	John Harkins	909 South Second street.
109.	M. D. Jackson	804 South Third street.
110.	Frank Beggler	808 South Third street.
111.	Chas. F. Daech	730 South Second street.
112.	David McClellahan	810 South Third street.
113.	Philip Quinn	141 Convent street.
114.	James Brown	919 South Second street.
115.	John Murphy	1213 Merchant street.
116.	Adolph Eppengerberger	127 Lombard street.
117.	Patrick Powers	1224 South Third street.
118.	Starless Woods	905 South Second street.
119.	Geo. Woods	905 South Second street.
120.	Joseph Gander	730 South Second street.
121.	Wm. Leverenc	802 South Second street.
122.	Michael Dumphrey	1227 Merchant street.
123.	John Schramm	116 Gratiot street.
124.	Frank Nours, jr.	816 South Third street.
125.	Henry Stock, jr.	1230 South Third street.
126.	Albert A. Aegeater	740 South Second street.
127.	Herman Jaeger	1228 South Third street.
128.	Edw. Kiel	808 South Third street.
129.	Nicholas Deshler	800 South Third street.
130.	Henry G. Eberhardt	738 South Second street.
131.	John Auth	131 Lombard street.
132.	Julius Vogel	816 South Second street.
133.	John Winterer	917 South Second street.
134.	Emil Stocker	728 South Second street.
135.	Wm. Holden	1126 South Second street.
136.	Michael Faughnan	1246 South Third street.
137.	John Fetterer	216 Lombard street.
138.	John Baumann	736 South Second street.
139.	Thomas J. Glaze	801 South Second street.
140.	Chas. T. McQuade	1246 South Third street.
141.	Edw. C. Baer	700 South Second street.
142.	Chas. Kelley	919 South Second street.
143.	General Madison	222 Lombard street.
144.	Louis Hoffman	1244 South Third street.
145.	Philip Mueller	127 Chouteau avenue.
146.	Jerry Egan	824 South Third street.
147.	Aeron Pope	222 Chouteau avenue.
148.	Michael Conley	119 Convent street.
149.	Bartley Graney	139 Convent street.
150.	Paul Mussler	746 South Second street.
151.	Wm. G. Rozier	120 Gratiot.
152.	John Marchall	1213 Merchant street.
153.	John H. Fuch	211 Lombard street.
154.	Fred Necker	1240 South Third street.
155.	Patrick Broderick	1213 Merchant street.
156.	Dennis Quinn	141 Convent street.
157.	Thomas Kimbel	212 Lombard street.
158.	Lawrence Heartery	115 Convent street.
159.	Geo. Gebhardt	1240 South Third street.
160.	Herman Eichner	919 South Second street.
161.	Joseph Haley	129 Lombard street.
162.	Joshua Gambill	808 South Third street.
163.	Chas. Wolff, jr.	120 Lombard street.
164.	Wm. Bucherer	913 South Second street.
165.	James T. Cavanaugh	120 South Second street.
166.	Wm. F. Wagner	122 Lombard street.
167.	Edw. Moriarty	1232 South Third street.
168.	John Schebeck	901 South Second street.
169.	Louis Weider	700 South Second street.
170.	Thomas Larber	900 South Second street.
171.	John Foley	127 Convent street.
172.	Geo. J. Meinz	224 Lombard street.
173.	Bernard M. Fries	116 Gratiot street.
174.	Turpin, Wilmoth	1232 South Third street.
175.	Emil Hartmann	1244 South Third street.
176.	Alfred Hoover	829 South Second street.
177.	Scoth L. Gardner	912 South Third street.
178.	Aug. Lindell	918 South Second street.
179.	Wm. A. Petaboir	728 South Second street.
180.	Wm. Waldow	916 South Third street.
181.	Jos. Ehret	916 South Third street.
182.	Wm. Webber	916 South Second.
183.	Wm. Scheible	127 Lombard street.
184.	Wm. P. Cohen	728 South Second street.
185.	Patrick Howard	900 South Second street.

Number.	Name.	Address.
186.....	Aug. Weichman.....	916 South Third street.
187.....	Henry Meyer.....	129 Lombard street.
188.....	Jerry Kennedy.....	135 Convent street.
189.....	James Johnson.....	905 South Second street.
190.....	Jos. Weider.....	700 South Second street.
191.....	Owen Cauley.....	141 Convent street.
192.....	Henry Nauss.....	818 South Third street.
193.....	James Haw.....	918 South Second street.
194.....	Eugene Johnson.....	905 South Second street.
195.....	Alexander Smith.....	912 South Third street.
196.....	Lawrence Bereuter.....	914 South Second street.
197.....	Martin Randall.....	120 Lombard street.
198.....	Herman Wirth.....	1136 South Third street.
199.....	Michael Francis.....	143 Convent street.
200.....	Vincent Dumphy.....	1227 Merchant street.
201.....	Hori Oiszulick.....	1238 South Third street.
202.....	Thomas Carragher.....	216 Chouteau avenue.
203.....	Edw. Holden.....	1126 South Second street.
204.....	Henry J. Oheim.....	809 South Second street.
205.....	Wm. Riechmann.....	916 South Second street.
206.....	Thomas Johnson.....	905 South Second street.
207.....	Michael Kennedy.....	135 Convent street.
208.....	Ambrose Altenmether.....	129 Lombard street.
209.....	John J. Brohammer.....	916 South Third street.
210.....	Angeli Orladi.....	746 South Second street.
211.....	Frank Davis.....	901 Risley street.
212.....	Wm. Klages.....	224 Lombard street.
213.....	John R. Woods.....	914 South Second street.
214.....	James Kellogg.....	829 South Second street.
215.....	Mike Wolf.....	913 South Second street.
216.....	H. C. Cole.....	806 South Third street.
217.....	Julius Otto.....	1240 South Third street.
218.....	Thos. Kenney.....	115 South Convent street.
219.....	Jos. W. Oheim.....	809 South Second street.
220.....	Ely Robison.....	123 Cedar street.
221.....	Geo. Phillips.....	147 Convent street.
222.....	Samuel Herring.....	918 South Second street.
223.....	Geo. Dahlgreen.....	1246 South Third street.
224.....	Simon Simon.....	200 Chouteau avenue.
225.....	Patrick Rider.....	916 South Third street.

Q. Will you examine the certificate of the judges and clerks, and state the number of votes received by the candidates for Congress in the Twelfth district of the city of St. Louis for the short term?—A. James J. Butler received 134 votes; George C. R. Wagoner received 75 votes; Henry Artz received 6 votes; William Billbarrow received 1 vote.

Q. How many of the judges and clerks have signed the certificate to which you have referred?—A. All the judges and clerks have signed.

Q. Will you produce the poll books used in precinct No. 12 of the Sixth Ward at the election held November 4, 1902, in the city of St. Louis, and read therefrom the number, name, and address of each voter as it appears in these books, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

Number.	Name.	Address.
1.....	Chas. Clinton.....	1505 Singleton street.
2.....	John McCloud.....	1510 Singleton street.
3.....	Frank West.....	807 South Seventeenth street.
4.....	Chas. McKenzie.....	1709 Gratiot street.
5.....	Danl. Constart.....	1516 Singleton street.
6.....	Fred Bartlett.....	807 South Seventeenth street.
7.....	Thos. O Shea.....	1505 Singleton street.
8.....	John Meyers.....	807a South Seventeenth street.
9.....	Jno. O'Donnell.....	1503 Singleton street.
10.....	Christ Morgan.....	1531 Singleton street.
11.....	Lawrence Montene.....	714 Gratiot street.
12.....	Peter E. Campbell.....	1708 Austin street.
13.....	Calver Burton.....	1725 Papin street.
14.....	John J. Smith.....	1503 Singleton street.
15.....	Chas. Campbell.....	822 South Seventeenth street.
16.....	Otto Remelerr.....	714 Austin street.
17.....	Gus Jones.....	1512 Gratiot street.
18.....	Levi Stewart.....	1516 Austin street.
19.....	J. L. Velar.....	1555 Gratiot street.
20.....	D. W. Tansel.....	1427 Papin street.
21.....	Edw. McFarland.....	1409 Papin street.
22.....	L. T. Gomes.....	816 South Eighteenth street.

Number.	Name.	Address.
23.	Chas. Sanders	1513 Gratiot street.
24.	Alb. H. Johnson	1556 Gratiot street.
25.	W. H. Worman	1523 Papin street.
26.	Harry Green	1529 Singleton street.
27.	Fred Stenbe	1515 Gratiot street.
28.	Marshall Betz	1533 Singleton street.
29.	Jerry Brinker	1703 Gratiot street.
30.	Robt. Henry	502 Gratiot street.
31.	R. S. Robinson	1521 Gratiot street.
32.	J. E. O'Neal	1500 Gratiot street.
33.	Jno. Carlin	1503 Singleton street.
34.	Chas. A. Mills	1706a Gratiot street.
35.	Louis Mills	1706a Gratiot street.
36.	Louis J. Stephens	1429 Papin street.
37.	W. L. Anderson	1511 Gratiot street.
38.	Wm. Goeger	1717 Singleton street.
39.	Danl. Leach	1524 Gratiot street.
40.	Robt. Fourcen	1427 Papin street.
41.	Wm. McGrath	1519 Singleton street.
42.	Saml. Leonard	1514 Gratiot street.
43.	John Bell	1558 Gratiot street.
44.	Wiley Marten	1564 Gratiot street.
45.	Jas. Phillips	1708 Austin street.
46.	Jas. Ross	1701½ Austin street.
47.	Jno. G. Wolf	1700 Austin street.
48.	Herm. Clausmeyer	1704 Austin street.
49.	Thos. J. Meeks	1700½ Austin street.
50.	Fred Hoesner	1507 Singleton street.
51.	Albert Parks, jr	1706 Gratiot street.
52.	W. H. Banks	1706 Gratiot street.
53.	Arthur Robinson	1532 Gratiot street.
54.	David Starry	1716 Austin street.
55.	Lewis Wave	1547 Gratiot street.
56.	Louis P. J. Masterson	1415 Gratiot street.
57.	Sam McCoy	1545 Gratiot street.
58.	Geo. Washington	1708 Gratiot street.
59.	Frank Oshea	1501 Singleton street.
60.	Chas. T. Masterson	415 Papin street.
61.	Thos. Kane	1517a Papin street.
62.	Arthur Smith	1500 Gratiot street.
63.	Geo. A. Masterson	1415 Papin street.
64.	James J. Masterson	1415 Papin street.
65.	Jno. Enwright	1512 Singleton street.
66.	G. A. Goeger	1713 Singleton street.
67.	Ben Smith	1709½ Gratiot street.
68.	Wm. Short	1435 Papin street.
69.	Randolph Wiley	1547 Gratiot street.
70.	Robt. Cannon	1520 Austin street.
71.	Mark Shawhan	1701½ Austin street.
72.	Adolph Strittmater	1700½ Austin street.
73.	Andrew J. Oreilley	1507 Papin street.
74.	Patk. Higgins	1510 Singleton street.
75.	Andrew J. Mitchell	1712 Gratiot street.
76.	Peter A. Sharey	1506 Singleton street.
77.	Hy. Schaefer	1557 Singleton street.
78.	Jno. Minor	1564 Gratiot street.
79.	Jno. P. Stevens	1429 Papin street.
80.	Wm. Wilkenson	1521 Singleton street.
81.	Wm. Grefencamp	1508 Singleton street.
82.	Thos. Jameson	1509 Gratiot street.
83.	Wm. Doll	1508 Papin street.
84.	Mike Shaughnessy	1713 Papin street.
85.	Jacob Rodgers	1510 Gratiot street.
86.	Jos. L. Velar	1555 Gratiot street.
87.	Thos. Villman	1520 Austin street.
88.	Weldon Parks	1557 Gratiot street.
89.	John Dougherty	1714 Gratiot street.
90.	Frank Davis	1507 Papin street.
91.	Mathew Campbell	822 South Seventeenth street.
92.	Horace Finqua	1521 Singleton street.
93.	Wm. Cook	1533 Singleton street.
94.	Julius Page	1530 Singleton street.
95.	J. L. Taylor	1542 Gratiot street.
96.	Jno. B. Stone	1711½ Gratiot street.
97.	James J. McGovern	1537 Papin street.
98.	S. T. Henderson	1435 Papin street.
99.	Frank Walter	1433 Papin street.
100.	Mike Carlin	1503 Singleton street.
101.	Joe Price	1521a Papin street.
102.	Ed. Byron	1506 Singleton street.
103.	Emile Reid	1515 Papin street.
104.	Michael Regan	1700 Austin street.
105.	Martin Kiely	1700 Austin.
106.	Tom Mulcahy	1500 Gratiot street.
107.	John Byron	1517 Papin street.

Number.	Name.	Address.
108.	Mike O'Brien	717 South Seventeenth street.
109.	Mike Doran	1511 Papin street.
110.	Con Ryan	1508 Singleton street.
111.	John Matthews	1500 Gratiot street.
112.	Frank Fletcher	1700 Austin street.
113.	William Kaufmann	1501a Papin.
114.	Lawrence Taafe	1503 Singleton street.
115.	John Reid	1511 Papin.
116.	Wm. Fahey	1521 Papin.
117.	Frank Webb	1518 Singleton street.
118.	Isaac Snow	1405 Papin street.
119.	Chas. J. Jefferson	1530 Gratiot.
120.	L. C. Meriweather	1531 Singleton.
121.	W. C. Shy	1527 Singleton.
122.	John Klausmeyer	1704 Austin street.
123.	Jos. O'Shea	1501 Singleton street.
124.	Jas. O'Neal	1504 Singleton.
125.	Tom Scott	1563 Gratiot street.
126.	Geo. Bugord	1506 Gratiot.
127.	John P. Stephens	1429 Papin street.
128.	Walter Goodwin	1426 Singleton street.
129.	Harry B. Johnson	1719 Gratiot.
130.	Wm. Geoger, sr.	1717 Singleton street.
131.	Edw. W. Hollan	1715½ Gratiot street.
132.	Wm. Roberts	1600 Singleton street.
133.	Jno. Reavely	1509 Gratiot street.
134.	Ambrose Dabney	1519 Gratiot street.
135.	Frank Neal	1535 Singleton street.
136.	Jno. Leary	1407 Papin street.
137.	Alex. Terry	1439 Papin.
138.	Gus. Woenser	1525 Papin street.
139.	Albert Beasley	708 South Eighteenth street.
140.	Jno. Kennedy	1342 Singleton street.
141.	Payton Harris	1529 Gratiot street.
142.	Louis A. Crawford	1542 Gratiot.
143.	General McLawrine	1552 Gratiot street.
144.	Jas. O'Connell	1515 Papin street.
145.	Jas. Danahy	1517½ Papin street.
146.	Austin Morgan	1511 Gratiot street.
147.	Parker Fox	1516 Gratiot street.
148.	Edw. Pearson	1562 Gratiot street.
149.	Jno. Dunlap	1435 Papin street.
150.	W. Syper	1710 Gratiot street.
151.	Willis Cooper	1423 Papin street.
152.	Alex. Williams	1508 Gratiot street.
153.	Thos. McGee	1553 Gratiot street.
154.	Albert Standard	1531 Singleton street.
155.	Joe Carlin	1503 Singleton street.
156.	Fred Scales	1506 Gratiot street.
157.	Wm. Strong	1551 Singleton street.
158.	Lnady Edwards	1503 Gratiot street.
159.	Jno. Berry	1716 Austin street.
160.	Thos. Griffin	1510a Singleton street.
161.	C. L. Hixson	1431 Papin street.
162.	Patrick Burgeon	1714 Austin street.
163.	Hiram Smith	1545 Gratiot street.
164.	Tony Richards	1711 Gratiot street.
165.	Harrison Taylor	1552 Gratiot street.
166.	Thos. McDonough	1502½ Singleton street.
167.	Jno. Conroy	1520 Singleton street.
168.	Henry W. Newman	1547 Singleton street.
169.	Mases Avery	1701 Gratiot street.
170.	C. J. Walsh	1511a Gratiot street.
171.	Burr Louis	1562 Gratiot street.
172.	Adam Hoesner	1507 Singleton street.
173.	Henry Brauch	1716 Gratiot street.
174.	C. J. Meek	1723 Singleton street.
175.	Jos. Stuebe	1515 Gratiot street.
176.	Chas. Hooper	1535a Gratiot street.
177.	Adolph Abel	1533 Singleton street.
178.	Jno. D. Neville	1515 Papin street.
179.	Jno. M. Key	1531 Gratiot street.
180.	Edw. Stokard	1504 Gratiot street.
181.	Leo Wolf	1715 Papin street.
182.	Jas. Tool	1552 Gratiot street.
183.	Jno. Fahey	1511 Papin street.
184.	W. P. McCarty	816 South Eighteenth street.
185.	Patrick Foley	1515 Singleton street.
186.	Jno. Clinton	1505 Singleton street.
187.	Edward McDonald	1549½ Gratiot street.

By Mr. CLINE:

Q. Will you examine the certificate of the judges and clerk and state the number of votes received by the candidates for Congress of the Twelfth district of the city of St. Louis for the short term?—A. Jas. J. Butler received 108 votes; Geo. R. Wagoner received 61 votes; Henry H. Artz received 2 votes.

Q. How many of the judges and the clerks have signed the certificate to which you have referred?—A. Four judges and two clerks.

At the hour of 5.45 I adjourned the further taking of this deposition until the hour of 7 o'clock p. m., this 31st day of December, 1902.

Pursuant to adjournment I begin the taking of these depositions at the hour of 7.45 p. m., this 31st day of December, 1902.

By Mr. KINZIE:

Q. Will you now produce the poll books of the ninth precinct, Fifth Ward, used in the election held November 4, 1902, in the city of St. Louis, and read therefrom the number, name, and address of each voter recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last name?—A. I will.

Number.	Name.	Address.
1.....	Hamilton, Alex.....	126 South Fourteenth street.
2.....	Wood, Sam H.....	104 South Fourteenth street.
3.....	Jennings, Jeff D.....	113 Center street.
4.....	Froman, Ed O.....	124 South Fourteenth street.
5.....	Froman, Oscar.....	124 South Fourteenth street.
6.....	Devore, Geo.....	10 South Fourteenth street.
7.....	Morton, Thomas.....	108 Center street.
8.....	Smith, Lewis.....	1209 Clark avenue.
9.....	Michler, Alex.....	124 South Fourteenth street.
10.....	Jackson, Jesse.....	19 Center street.
11.....	Nalty, Pat.....	28 South Twelfth street.
12.....	Dunn, J. A.....	126 South Twelfth street.
13.....	Thompson, E.....	218 Center street.
14.....	McDonald, Frank.....	14 South Fourteenth street.
15.....	Woods, F. W.....	1313 Clark avenue.
16.....	Morawski, Robt.....	218 South Fourteenth street.
17.....	Collins, J. F.....	1302 Clark avenue.
18.....	McCarthy, F. E.....	1302 Clark avenue.
19.....	Bray, John J.....	1115 Clark avenue.
20.....	Ferguson, Henry.....	1306 Clark avenue.
21.....	Thornton, Bert.....	26 South Fourteenth street.
22.....	Clay, Henry.....	113 Centre street.
23.....	Hurt, Wm.....	26 South Fourteenth street.
24.....	Vollner, Frank.....	1321 Clark avenue.
25.....	Flynn, Michael.....	1200 Clark avenue.
26.....	Woodling, Thomas.....	1200 Clark avenue.
27.....	Haney, Martin.....	10 South Fourteenth street.
28.....	Horchler, Henry.....	1326 Clark avenue.
29.....	Barns, Wm.....	1304 Clark avenue.
30.....	Langdon, A. B.....	1236 Clark avenue.
31.....	Smith, Graham.....	202 South Twelfth street.
32.....	Harver, Wm.....	1228 Clark avenue.
33.....	Galligan, John F.....	1123 Clark avenue.
34.....	Bates, Ed.....	115 South Eleventh street.
35.....	Wilson, John J.....	115 South Eleventh street.
36.....	Bender, Walter P.....	1302 Clark avenue.
37.....	Hanson, Charles.....	115 South Eleventh.
38.....	Ransom, Harry.....	1115 Clark avenue.
39.....	Brooks, Henry.....	1307½ Spruce street.
40.....	Johnson, John A.....	202 South Twelfth.
41.....	Dean, Ray.....	206 South Twelfth street.
42.....	Reynolds, Charles.....	1236 Clark avenue.
43.....	Harris, Warren C.....	

Mr. WALSH. At this point the attorney for the contestee desires to call attention to the fact that the simultaneous depositions of Messrs. Gannon and Struetker before Notary A. R. Russell, purporting to be a comparison of the poll books on the part of Mr. Struetker of the returns from the ninth precinct of the Fifth Ward and on the part of Mr. Gannon of the third precinct of the Fifth Ward, is an absolute impossibility, as in each instance the witnesses mentioned hold both books from their respective precincts for comparison.

Mr. KINSEY. Contestant's counsel desires to have it noted in the record that the reading comparison and testimony of the two witnesses mentioned above is being

recorded on separate typewriters, and each of the witnesses is reading and testifying separately.

No.	Name.	Address.
43.	Harris, Warren C.	1110 Market street.
44.	Williams, Wm.	305 South Twelfth street.
45.	Burris, Ed.	1302 Clark avenue.
46.	Freeman, John.	1306 Clark avenue.
47.	White, John.	1316 Market street.
48.	Sneed, John.	123 South Eleventh street.
49.	Boerher, John H.	1201 Clark avenue.
50.	Roberts, Griffith W.	316 South Fourteenth street.
51.	Brown, Walter.	206 South Fourteenth street.
52.	Regan, William.	206 South Fourteenth street.
53.	J. J. Mielke.	1326 Market street.
54.	Munier, Joseph.	21 South Thirteenth street.
55.	Moran, Wm.	119 South Eleventh street.
56.	Miller, Frank.	28 South Twelfth street.
57.	Riley, Thomas.	206 South Fourteenth street.
58.	Boewer, Stephen.	1201 Clark avenue.
59.	Carter, John.	1115 Clark avenue.
60.	Block, James.	1230 Clark avenue.
61.	Smith, James H.	1226 Clark avenue.
62.	Prehler, Phillip.	312 South Fourteenth street.
63.	Fuelle, Rhinehart.	25 South Eleventh street.
64.	Janison, C. D.	1107 Clark avenue.
65.	Moran, Pat J.	310 South Fourteenth street.
66.	Witte, George.	1229 Spruce street.
67.	Erb, Phillip J.	202 South Twelfth street.
68.	Kelley, Joseph.	101 Center street.
69.	McCarthy, David.	1228 Clark avenue.
70.	Metzger, Edw. A.	1323 Spruce street.
71.	Heinrich, Max.	306 South Fourteenth street.
72.	Emy, Frank C.	310 South Fourteenth street.
73.	Barbaris, Vincent.	1226 Clark avenue.
74.	Branchi, Louis.	109 South Thirteenth street.
75.	Smith, George.	1115 Clark avenue.
76.	Huebler, Antonio.	1101 Spruce street.
77.	Thomas, Erwin.	1314 Clark avenue.
78.	Sullivan, George.	1314 Clark avenue.
79.	Bell, John.	28 South Twelfth street.
80.	Hughes, Robt.	107 South Eleventh street.
81.	Murphy, John.	1302 Clark avenue.
82.	Riley, James.	1302 Clark avenue.
83.	Jones, Frank.	1228 Clark avenue.
84.	Roache, Harry J.	115 South Eleventh street.
85.	Mohr, Michael.	1321 Spruce street.
86.	Murphy, John.	28 South Twelfth street.
87.	Roy, Fred C.	1134 Market street.
88.	Jackson, Paul.	1230 Clark avenue.
89.	Fleming, Ed.	206 South Fourteenth street.
90.	Strum, Frank.	28 South Twelfth street.
91.	Warrington, Harry.	1312 Clark avenue.
92.	Ragen, John J.	206 South Fourteenth street.
93.	Goesling, Wm.	1228 Clark avenue.
94.	Hartman, Frank.	1228 Clark avenue.
95.	Houston, Wm.	1228 Clark avenue.
	(Blank.)	
97.	Kell, Edw.	1228 Clark avenue.
98.	Storts, Brock.	1107 Clark avenue.
99.	Sloane, Columbus.	15 Center street.
100.	Warrington, James.	1302 Clark avenue.
101.	Jones, J. W.	316 South Fourteenth street.
102.	Meyer, Henry.	15 Center street.
103.	Phillips, Wm. A.	104 Center street.
104.	Bailey, Stephen.	1230 Clark avenue.
105.	Hurter, Joseph J.	108 South Fourteenth street.
106.	Tucker, Albert M.	2012 South Twelfth street.
107.	Todd, James L.	1305½ Spruce street.
108.	Roach, Geo.	1228 Clark avenue.
109.	Williams, Geo.	1302 Clark avenue.
110.	Malone, Thos. M.	124 South Twelfth street.
111.	Ransom, Wm.	1115 Clark avenue.
112.	Erhart, Lorenz.	1107 Clark avenue.
113.	Cuttridge, John.	109 South Eleventh street.
114.	Barnes, Eugene.	109 South Eleventh street.
115.	Crenull, Geo. H.	1301 Clark avenue.
116.	Brescia, Jno. J.	206 South Fourteenth street.
117.	Kelly, Wm.	28 South Twelfth street.
118.	Pearson, Frank.	1228 Clark avenue.
119.	Wash, A. K.	1228 Clark avenue.
120.	Deck, John.	1321 Clark avenue.
121.	McNally, James D.	206 South Fourteenth street.
122.	Geitner, Chas.	300 South Fourteenth street.
123.	Bothman, Fritz.	1113 Clark avenue.

No.	Name.	Address.
124.	Morrison, Frank	211 Center street.
125.	Bueler, C. D.	1104 Market street.
126.	Barrett, George R.	326 South Fourteenth street.
127.	Hoffelder, Albert.	27 South Thirteenth street.
128.	Casey, James.	320 South Fourteenth street.
129.	Newton, Chas.	12 South Fourteenth street.
130.	Griffin, Wm. A.	1100 Market street.
131.	Mack, Wm.	26 South Fourteenth street.
132.	Kent, Richard	109 Center street.
133.	Henderson, Wm. C.	201 South Thirteenth street.
134.	Henderson, Geo.	1200 Clark avenue.
135.	Self, Harry	1115 Clark avenue.
136.	Deaver, John R.	20 South Fourteenth street.
137.	Boadley, Jas. N.	117 Center street.
138.	Hobart, A. C.	206 South Fourteenth street.
139.	Shea, Michael.	1200 Clark avenue.
140.	Huebler, Edmont	1101 Spruce street.
141.	Rose, Frank E.	106 South Fourteenth street.
142.	Herget, Fred	13 South Thirteenth street.
143.	Johnson, D. W.	115 Center street.
144.	Boyd, Ed S.	310 South Fourteenth street.
145.	Foreman, Jas. E.	205 Center street.
146.	Betta, Severi	1119 South Thirteenth street.
147.	Foster, Major	100 South Fourteenth street.
148.	Harris, J. A.	118 South Fourteenth street.
149.	Reiss, Phillip.	1317 Clark avenue.
150.	Monnin, Orin A.	118 South Fourteenth street.
151.	Wicks, H. O.	312 South Fourteenth street.
152.	Whalen, Tim.	City Hotel.
153.	Padden, Pat F.	302 South Fourteenth street.
154.	Randall, Wm.	12 South Fourteenth street.
155.	Ingram, Dan J.	125 Center street.
156.	Taylor, Wm. B.	26 South Fourteenth street.
157.	Bailey, Ed	1329 Spruce street.
158.	Regan, Michael	206 South Fourteenth street.
159.	Munzer, Wm.	302 South Fourteenth street.
160.	Siebel, Emil.	306 South Fourteenth street.
161.	Dick, Christian	1321 Clark avenue.
162.	Canfield, Wm. G.	1326 Clark avenue.
163.	Hoffmann, Ben F.	118 South Fourteenth street.
164.	Schiedell, Chas. C.	320 South Fourteenth street.
165.	Alexander, Henry	9 Center street.
166.	Haefner, Geo.	1200 Clark avenue.
167.	Colonna, M. A.	306 South Fourteenth street.
168.	Morris, Ed.	12 South Fourteenth street.
169.	Riley, Phillip	23 South Thirteenth street.
170.	Smith, Chas. H.	216 South Twelfth street.
171.	Rowe, Wm.	1324 Clark avenue.
172.	Chambers, Charley	12 South Fourteenth street.
173.	Wilds, Wm.	330 South Fourteenth street.
174.	Peace, Roderich W.	202 South Twelfth street.
175.	Hegamann, David T.	1313 Clark avenue.
176.	Harris, John	26 South Fourteenth street.
177.	Cox, Edward	27 South Thirteenth street.
178.	Green, Patrick	27 South Thirteenth street.
179.	Clark, Harry	114 South Fourteenth.
180.	Simmons, Wm. E.	206 South Twelfth.
181.	Walsh, Jas. R.	1107 Clark avenue.
182.	Finnigan, Ed	1317 Clark avenue.
183.	Wheeler, Harry	21 South Thirteenth street.
184.	Warrington, J.	1302 Clark avenue.
185.	Wilson, J.	1101 Market street.
186.	Heckemeyer, Adam.	222 South Fourteenth street.
187.	Noel, Joe	13 South Eleventh street.
188.	Dupicch, Jas. M. A.	119 South Thirteenth street.
189.	Wilson, Sam.	103 Center street.
190.	Teson, Henry	119 South Eleventh street.
191.	Blackwell, Geo. W.	28 Center street.
192.	Finch, F. H.	116 South Fourteenth street.
193.	Bayne, P. S.	206 South Fourteenth street.
194.	Carberry, Edw.	316 South Fourteenth street.
195.	O'Connor, Frank.	330 South Fourteenth street.
196.	McMahon, James	119 South Eleventh street.
197.	Barret, Geo.	326 South Fourteenth street.
198.	Caiappells, Jas.	1226 Clark avenue.
199.	Foreman, Ed J.	205 Center street.
200.	Moran, W.	316 South Fourteenth street.
201.	Devine, Wm.	1302 Clark avenue.
202.	Murphy, Jas. J.	1302 Clark avenue.
203.	Schreiber, Fred	8 South Fourteenth street.
204.	Stallings, Bob.	212 South Twelfth street.
205.	Scott, Chas. E.	1306 Clark avenue.
206.	Cahill, Michael	1317 Clark avenue.
207.	Clemmens, Wm. P.	1123 Clark avenue.
208.	Kiely, Jas. F.	112 South Fourteenth street.

No.	Name.	Address.
209.....	Lindsey, Howard.....	1108½ Market street.
210.....	Frank, Charles.....	115 South Eleventh.
211.....	Woods, M. L.....	1307 Spruce street.
212.....	Sauerwein, Fritz.....	1300 Clark avenue.
213.....	Dundin, Wm.....	1230 Clark avenue.
214.....	Lea, A.....	1308 Clark avenue.
215.....	Burns, Peter F.....	1231 Spruce street.
216.....	Meyer, Tom.....	1229 Spruce street.
217.....	Lächler, Edward A.....	1229 Spruce street.
218.....	Bucci, Angelo.....	1226 Clark avenue.
219.....	Houser, Geo.....	1311 Clark avenue.
220.....	Jones, J. W.....	1108½ Market street.
221.....	Vogel, Jacob.....	Four Courts.
222.....	Ebeling, Louis.....	1108½ Market street.
223.....	Rogers, Arthur.....	1329 Spruce street.

By Mr. KINSEY:

Q. Will you now turn to the certificate of the judges and clerks on these poll books and read therefrom the number of votes certified to have been cast for the several candidates for Congress in the Twelfth district for the short term?—A. James J. Butler received 145 votes; George C. R. Wagoner received 71 votes; Henry H. Artz received 7 votes.

Q. Are these certificates signed by the four clerks?—A. They are.

Q. Will you now produce the poll books used in the tenth precinct of the Fifteenth Ward at the election on November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning number one and continuing in consecutive order to and including the last name?—A. I will.

Number.	Name.	Address.
1.....	Malone, Geo. W.....	1927½ Morgan street.
2.....	Jackson, John.....	1931 Morgan street.
3.....	Edwards, Charles.....	1900 Linden street.
4.....	Milner, Wm. B.....	2000 Franklin avenue.
5.....	Allen, Josias.....	206 Franklin avenue.
6.....	Shafer, Wm. E.....	206 Franklin avenue.
7.....	Egenreithen, Wm.....	714 North Twentieth street.
8.....	Sullivan, Thos.....	720 North Twentieth street.
9.....	Kane, Patrick.....	206 Franklin avenue.
10.....	Waller, Michael.....	1927½ Morgan street.
11.....	Arnold, Thos. P.....	2023 Morgan street.
12.....	Brucker, Albert J.....	2012 Franklin avenue.
13.....	Egenreither, Chris.....	714 North Twentieth street.
14.....	Bowe, Thos. J.....	1926 Morgan street.
15.....	Maloney, John.....	1913 Franklin avenue.
16.....	Blackwell, John M.....	1804 Morgan street.
17.....	Stube, Stephen.....	1804 Morgan street.
18.....	Cooper, R. W. E.....	1808 Morgan street.
19.....	Reibell, Eugene.....	2008 Franklin avenue.
20.....	Lane, Enos.....	2000 Franklin avenue.
21.....	Lovely, Gilbert H.....	1929 Morgan street.
22.....	Brown, W. H.....	2116 Morgan street.
23.....	Anderson, B. J.....	825 North Twentieth street.
24.....	Malone, R. L.....	1927½ Morgan (rear).
25.....	Malone, Lester.....	1927½ Morgan (rear).
26.....	Gazzola, Andrew, jr.....	801 North Twentieth street.
27.....	Connor, W. R.....	2030 Franklin avenue.
28.....	Dasster, John.....	1904 Franklin avenue.
29.....	Ihorn, Wm.....	1928 Morgan street.
30.....	McWilliams, Garry.....	2109 Lucas avenue.
31.....	Weir, Nathan.....	1915 Morgan street.
32.....	Holleran, M. J.....	801 North Twentieth street.
33.....	Straub, D.....	2012 Franklin avenue.
34.....	Long, Henry.....	1812 Lucas avenue.
35.....	Long, Adam F.....	1812 Lucas avenue.
36.....	Weir, Lazarus.....	1915 Morgan street.
37.....	Gazzola, Andrew, sr.....	801 North Twentieth street.
38.....	Goldstone, B.....	1707 Washington avenue.
39.....	Trost, Gus.....	1929 Morgan street.
40.....	Mclvor, Jno. E.....	815 North Twentieth street.
41.....	List, Joe.....	811 North Twentieth street.
42.....	Mason, C. M.....	604 North Twenty-second street.
43.....	Koesher, John M.....	1932 Morgan street.
44.....	Robison, Wm. E.....	813 North Nineteenth street.
45.....	Willey, Warner.....	720 North Twentieth street.
46.....	Ford, D. S.....	916 Morgan street.

Number.	Name.	Address.
47.	Tassi, F. A.	709a North Twenty-first street.
48.	Riley, Jno. T.	2016 Franklin avenue.
49.	Wehking, F. W.	820 North Twentieth street.
50.	Gerber, Geo.	1913 Morgan street.
51.	Bergfeld, Jas. W.	2101 Lucas avenue.
52.	Apperson, Jno. B.	706 North Twentieth street.
53.	Rasmuch, B. M.	2000 Morgan street.
54.	Grillo, Joe.	805 North Twentieth street.
55.	La Rouge, Otto E.	2106 Morgan street.
56.	Williams, Jas. M.	1913 Morgan street.
57.	Johnson, Edw.	1931 Morgan street.
58.	Raymore, Thos.	1710 Lucas avenue.
59.	Trost, J. F.	1936 Morgan street.
60.	Coon, J. L.	1818 Morgan street.
61.	Questa, David.	805 North Twentieth.
62.	Brooks, Robt.	2000 Morgan street.
63.	Wuenche, Rineholt.	1927½ Morgan street.
64.	Apperson, Fred.	2032 Franklin avenue.
65.	Hawkins, Lawrence.	1870 Lucas avenue.
66.	Cannell, E. G.	2010 Franklin avenue.
67.	Anger, Chas. F.	827 North Nineteenth street.
68.	Kellher, Jas. F.	2106 Morgan street.
69.	Kintz, Robt. V.	718 North Twentieth street.
70.	Boggrano, Stephen.	1801 Washington avenue.
71.	O'Connor, Danl.	2000 Franklin avenue.
72.	McLaughlin, Thos.	2006 Franklin avenue (rear).
73.	Sullivan, T. J.	1921 Morgan street.
74.	Schopp, Thos.	1816 Morgan street.
75.	O'Brien, D. J.	2134 Morgan street.
76.	McGovern, M. B.	718 North Twentieth street.
77.	Robinson, Frank.	2103 Washington avenue.
78.	Brockmeyer, Henry.	1933 Morgan street.
79.	Scalzo, Joe.	709 North Twenty-first street.
80.	Norris, J. H.	2100 Morgan street.
81.	Roseean, Phillip.	723 North Eighteenth street.
82.	Borgelt, Bernard.	916 Franklin avenue.
83.	Kelley, M. J.	1723 Washington avenue.
84.	Cann, W. N.	825 North Twentieth street.
85.	Engler, Fred.	937 Morgan street.
86.	Edler, Jacob.	718 North Twentieth street.
87.	Sewing, H. A.	2004 Franklin avenue.
88.	Kyle, C. M.	718 North Twentieth.
89.	Barckers, Henry M.	2006 Franklin avenue.
90.	Green, Henry.	613 North Twenty-first street.
91.	Pensa, Steve.	718 North Twentieth street.
92.	Kelly, Wm. J.	2006 Franklin avenue.
93.	Borchers, John.	2006 Franklin avenue.
94.	Smith, Alex.	2036 Franklin avenue.
95.	Tracy, Jos.	1928 Morgan street.
96.	Moeller, Geo.	2008 Franklin avenue.
97.	Dohrman, Chas.	2036 Franklin avenue.
98.	Grace, Patrick.	1928 Franklin avenue.
99.	Bueker, H. F.	825 North Twentieth street.
100.	McGee, Wm. F.	1907 Morgan street.
101.	Durst, Wm. A.	1808 Morgan street.
102.	Schmitthausler, Thos.	2014 Franklin avenue.
103.	Oliver, Oscar.	1931 Morgan street.
104.	Street, John.	1918 Morgan street.
105.	Sperry, C. O.	709 North Eighteenth street.
106.	Frye, Lee.	817 North Twentieth street.
107.	Smith, J. R.	815 Lucas avenue.
108.	Fredler, H. J.	2018 Franklin avenue.
109.	Newbannon, Julius.	811 North Twentieth street.
110.	Lane, John P.	2000 Franklin avenue.
111.	Graffert, D. S.	818 North Twentieth street.
112.	Sarber, Arthur J.	1921 Morgan street.
113.	Fitzgerald, Thos.	1928 Franklin avenue.
114.	Moehle, Fred.	1912 Morgan street.
115.	Quinlan, Thomas.	1913 Morgan street.
116.	Lohmann, E. C.	813 North Nineteenth street.
117.	Deitz, Wm.	1818 Morgan street.
118.	Eckman, C. C.	1918 Morgan street.
119.	O'Connell, T. D.	2000 Franklin avenue.
120.	Querola, John.	805 North Twentieth street.
121.	Ege, Peter.	1818 Morgan street.
122.	Sace, John H.	1902 Franklin avenue.
123.	La Rouge, Otto.	2106 Morgan street.
124.	Schafer, Jos.	1827 Lucas avenue.
125.	Lightner, Chas. E.	2007 Morgan street.
126.	Luchsinger, L. J.	1912 Franklin avenue.
127.	Taylor, Albert.	1923 Linden street.
128.	McCarthy, W. J.	2105 Lucas avenue.
129.	Scott, Fred.	1710 Lucas avenue.
130.	Flagg, Robt.	2025 Morgan street.
131.	Mettler, L. B.	2000 Morgan street.
132.	Smith, Wm. A.	1921 Morgan street.

Number.	Name.	Address.
133.....	Klute, Gus.....	813 North Twentieth street.
134.....	Canpasy, Chas.....	2010 Franklin avenue.
135.....	Harris, Wm. C.....	615 North Twenty-first street.
136.....	Avery, W. P.....	1921 Morgan street.
137.....	Luebert, A. F.....	2104 Morgan street.
138.....	Ude, A.....	813 North Nineteenth street.
139.....	Fiedler, Lawrence.....	2018 Franklin avenue.
140.....	Randell, E. P.....	2006 Franklin avenue.
141.....	Lamont, G. V.....	1912 Franklin avenue.
142.....	Huff, F. M.....	2008 Franklin avenue.
143.....	Horn, Sidney H.....	1902 Franklin avenue.
144.....	Martin, John E.....	2025 Morgan street.
145.....	Yaeger, Henry.....	715 North Twentieth street.
146.....	Wesley, W. N.....	1931 Morgan street.
147.....	Mollmann, Louis.....	715 North Twentieth street.

At the hour of 11 p. m. I adjourn the further taking of testimony in this cause until Friday, January 2, 1903, at the hour of 9 o'clock a. m.

Pursuant to adjournment I commenced the further taking of testimony in this cause this 2d day of January, 1903, at the hour of 9.30 a. m.

By Mr. KINSEY:

Q. Will you proceed with the reading of the numbers, names, and addresses of the voters of the tenth precinct of the Fifteenth Ward?—A. Yes.

Number.	Name.	Address.
148.....	Mohrle, Henry.....	1912 Morgan street.
149.....	Varloy, Jas. R.....	2027 Morgan street.
150.....	Morio, Andrew.....	2010 Franklin avenue.
151.....	Mohrle, Gus.....	1912 Morgan street.
152.....	Mohrle, Wm.....	1912 Morgan street.
153.....	Brockmeyer, Fred.....	1933 Morgan street.
154.....	Higgins, Thos. L.....	815 North Nineteenth street.
155.....	Gazzola, Louis F.....	801 North Twentieth street.
156.....	Ulmer, H. J.....	1920 Morgan street.
157.....	Cunningham, Geo. J.....	1818 Morgan street.
158.....	Bush, Alex.....	2001 Lucas avenue.
159.....	Surles, G. H.....	815a North Nineteenth street.
160.....	Robert, Thos. J.....	2006 North Franklin street.
161.....	Schneider, S. R.....	2019 Morgan street.
162.....	Murphy, Jno.....	2006 Franklin avenue.
163.....	Mannabrk, S. C.....	1927 Lucas avenue.
164.....	Engler, H. J.....	1937 Morgan street.
165.....	Burns, E. J.....	2019 Morgan street.
166.....	Engler, Wm.....	1927 Morgan street.
167.....	Kraus, Jno.....	1928 Franklin avenue.
168.....	Robinson, W. E.....	813 North Ninth street.
169.....	O'Connell, Pat.....	2000 Franklin avenue.
170.....	Ogden, Albert.....	1926 Franklin avenue.
171.....	Link, Wm.....	711 North Eighteenth street.

By Mr. HOLTCAMP:

Q. Will you now state how many votes are certified to in the poll book from which you have just read for each Congressional candidate in that precinct, to wit, the tenth precinct of the Fifteenth Ward?—A. There is no statement made of the number of votes they received.

Q. How many of the judges and clerks signed that poll book?—A. Four judges and two clerks.

Q. Will you produce the poll books of the fifth precinct of the Twenty-second Ward, used in the election of November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1, and reading in consecutive order to and including the last number therein?—A. I will.

Number.	Name.	Address.
1.....	Harrison, E. M.....	2651 Pine street.
2.....	Stewart, J. A.....	2625 Pine street.
3.....	Wurnb, R. O.....	264 Wash street.
4.....	Voegt, Albert.....	2615 Pine street.
5.....	Lighter, P. A.....	2636 Locust street.

Number.	Name.	Address.
6.	Reed, C.	Hotel Garnie.
7.	Dovly, Tom	2631 Pine street.
8.	Walsh, Jas. M.	2618 Wash street.
9.	Fox, S.	2639 Pine street.
10.	Syc, P. E.	2619 Pine street.
11.	Brose, J. G.	2601 Pine street.
12.	Wrightson, C.	2620 Locust street.
13.	Brown, W. H.	208 North Beaumont street.
14.	West, E. R.	2631 Locust street.
15.	Clay, Hy.	2623 Pine street.
16.	Turner, M. L.	2608 Locust street.
17.	Bush, C. T.	2635 Pine street.
18.	Hogan, J. H.	2631 Pine street.
19.	Ireland, Chas. E.	2642 Wash street.
20.	Edwards, S. S.	Hotel Garnie.
21.	Baily, Thos.	2615 Olive street.
22.	Hays, D.	2626 Olive street.
23.	Haines, D.	2629 Pine street.
24.	Costello, T. M.	2616 Locust street.
25.	McVillev, Wm	2644 Olive street.
26.	Day, C. E.	2653 Olive street.
27.	Coons, N. N.	2645 Olive street.
28.	Ashton.	2648 Wash street.
29.	Armstrong, C.	2630 Locust street.
30.	Kline, Jno.	2635 Olive street.
31.	Lucas, Joe.	2601 Olive street.
32.	Williams, J.	209 North Jefferson avenue.
33.	Watkins, E.	2618 Wash avenue.
34.	Le Grane, N.	2644 Wash street.
35.	McClokey, R. H.	2626a Olive street.
36.	Malone, D.	2621 Olive street.
37.	O'Neil, Chas.	2635 Olive street.
38.	Martin, C.	2602 Locust street.
39.	Erving, A. W.	2633 Pine street.
40.	May, Wm	2653 Olive street.
41.	Tenpe, C. B.	2628 Wash street.
42.	Williams, J. R.	2655 Olive street.
43.	Voellmeckex, L. H.	2653 Olive street.
44.	Herbert, Frank	2605 Olive street.
45.	Marnell, J. B.	2611 Pine street.
46.	Bril, J.	2609 Olive street.
47.	Parle, And.	2627 Locust street.
48.	Van Phul, B.	Hotel Garnie.
49.	Grossman, E. M.	2602 Locust street.
50.	Hopkins, I. R.	2622 Olive street.
51.	Olfield, G.	2602 Locust street.
52.	Inge, H.	2633 Pine street.
53.	Douglas, Wm. A.	2644 Olive street.
54.	Caulfield, P.	2622 Wash street.
55.	Miller, J. C.	2634 Olive street.
56.	Moore, Geo.	2642 Locust street.
57.	Wohlgemuth, Wm	2642 Locust street.
58.	Hanlan, Rich.	2600 Olive street.
59.	Cawthon, W. J.	2630 Wash street.
60.	Simon, Benj.	2602 Olive street.
61.	Newbaur, G. M.	2642 Wash street.
62.	Elliot, H. W.	2635 Locust street.
63.	Beffamart.	2652 Olive street.
64.	Gwynn, T. P.	2634 Locust street.
65.	Spellman, M.	2628 Olive street.
66.	Sharpe, Wm. R.	2617 Olive street.
67.	Hamperton, W. T.	2631 Locust street.
68.	Corneli, J.	2618 Olive street.
69.	Salmon, H. W.	2602 Locust street.
70.	Levine, B.	2635 Pine street.
71.	Rasch, A.	2605 Olive street.
72.		
73.	Meyer, Joe	2614 Olive street.
74.	Nelson, E. H.	2627 Olive street.
75.	Minford, E. W.	2617 Pine street.
76.	Porter, J. A.	2608 Locust street.
77.	Perkins, J. T.	2612 Locust street.
78.	Sherry, M. J.	2601 Pine street.
79.	Ryan, Wm	2627 Olive street.
80.	Reno, W. E.	2648 Olive street.
81.	Peetz, J.	2616 Olive street.
82.	Price, E. L.	2600 Olive street.
83.	Reed, C.	Hotel Garnie.
84.	Smith, W. M.	2633 Pine street.
85.	Martin, E.	2627 Olive street.
86.	Pennington, G. A.	2608 Locust street.
87.	Wadsworth, Chas.	2651 Olive street.
88.	Woods, C. R.	2600 Olive street.
89.	No ballot.	
90.	Kline, J.	2635 Olive street.

Number.	Name.	Address.
91.....	Keith, F. W.....	2608 Locust street.
92.....	Laue, P.....	2635 Olive street.
93.....	Miller, M.....	2611 Olive street.
94.....	Pearsall, C. B.....	2603 Olive street.
95.....	Oruouke, T.....	2617 Olive street.
96.....	Nichols, C. H.....	2617 Olive street.
97.....	Morris, F.....	2633 Olive street.
98.....	Knox, S.....	209 North Jefferson street.
99.....	Morse, T. P.....	2603 Olive street.
100.....	Melville, Wm.....	2641 Olive street.
101.....	Kelley, J.....	2627 Olive street.
102.....	Kelsey, C.....	2627 Olive street.
103.....	Martin, F. C.....	2636 Olive street.
104.....	North, F. M.....	2621 Olive street.
105.....	Morley, E.....	2601 Olive street.
106.....	Meyers, Jno.....	2627 Olive street.
107.....	Moore, Tom.....	2627 Olive street.
108.....	Wilson, A.....	2627 Olive street.
109.....	York, H. N.....	2627 Olive street.
110.....	Henry, H.....	2651 Locust street.
111.....	Whalen, J.....	2617 Olive street.
112.....	Dooley, B. J.....	2614 Olive street.
113.....	Fields, R. J.....	Hotel Garnie.
114.....	Gorman, J. C.....	2644 Olive street.
115.....	Topplans, J.....	2605 Olive street.
116.....	Davis, Jas. F.....	2605 Olive street.
117.....	Williams, Geo.....	2605 Olive street.
118.....	Watson, C.....	2213 North Jefferson street.
119.....	David, A.....	2622 Olive street.
120.....	Ellis, T.....	2627 Olive street.
121.....	Merryman, R. H.....	2642 Wash street in one book, in the other 2612 Washington avenue.
122.....	Blake, M.....	2602 Locust street.
123.....	Silverwood, W. F.....	2637 Pine street.
124.....	Glyvens, O. B.....	2612 Olive street.
125.....	Graves, Chas. R.....	2618 Locust street.
126.....	Devoto, J. C.....	2600 Olive street.
127.....	Evans, B. G.....	2648 Locust street.
128.....	Minor, E. A.....	2624m Olive street.
129.....	Grant, J. W.....	2629 Pine street.
130.....	Dormitzen, Joe.....	2608 Locust street.
131.....	Burk, E. M.....	2602 Olive street.
132.....	Bell, W. M.....	2608 Locust street.
133.....	Krebs, J. M.....	2603 Olive street.
134.....	Finch, Chas. M.....	2628 Olive street.
135.....	Jones, H. H.....	St. Mary's Institute.
136.....	Porter, J. A.....	2608 Locust street.
137.....	Duffy, F.....	2627 Olive street.
139.....	Gentry, T. L.....	2629 Pine street.
140.....	Hay, J. T.....	2655a Olive street.
141.....	Kellerher, J. T.....	2628 Washington avenue.
142.....	Williams, C.....	2617 Pine street.
143.....	Stepnen, R. W.....	2617 Pine street.
144.....	Wendwarth, E. E.....	2606 Olive street.
145.....	Voy, J. W.....	207 North Jefferson avenue.
146.....	Shields, Hy.....	2650 Washington avenue.
147.....	Welby, J.....	2614 Olive street.
148.....	Brown, J.....	2608 Locust street.
149.....	Appleby, J. W.....	2602 Locust street.
150.....	Grant, J. W.....	2629 Pine street.
151.....	Jones, S.....	2641 Olive street.
152.....	Pullam, J. T.....	2608 Olive street.
153.....	Welsh, A.....	2618 Washington avenue.
154.....	Garnett, A.....	2623 Pine street.
155.....	Smith, R. H.....	2616 Olive street.
156.....	Salmon, M. K.....	2602 Locust street.
157.....	Hempill, C.....	Hotel Garnie.
158.....	Couper, G. B.....	2653 Pine street.
159.....	Barrow, B.....	2621 Pine street.
160.....	Rose, E. W.....	2633 Pine street.
161.....	Hereford, C. A.....	2633 Pine street.
162.....	Doepae, A., in one book, in the other Depke, A.....	2624 Olive street.
163.....	Beffa, P.....	2652 Olive street.
164.....	Toohy, C. A., in other book Toohery, Wm. A.....	2642 Olive street.
165.....	Herman, Geo. P.....	2608 Locust street.
166.....	Sigafoose, T. H.....	2621 Olive street..
167.....	Cummins, Frank.....	2653 Olive street.
168.....	Miller, T. C.....	2642 Washington avenue.
169.....	Botto, August.....	2607 Olive street.
170.....	Beffa, A.....	2652 Olive street.
171.....	Smith, Huntington.....	2621 Locust street.
172.....	Frick, Wm.....	2617 Pine street.
173.....	Clemons, N. N.....	2621 Olive street.

Number.	Name.	Address.
174.....	Huhn, J. P.	2601 Olive street.
175.....	McCullaugh, J. E.	2621 Olive street.
176.....	Menninghaus, W. S.	2618 Olive street.
177.....	Martin, Grant	2605 Pine street.
178.....	Smith, Homes	2650 Washington avenue.
179.....	Swaine, F.	2661 Olive street.
180.....	Buckshot, F., sr	2604 Olive street.
181.....	Applegate, Geo. W.	2602 Locust street.
182.....	Burgess, C. W.	2600 Olive street.
183.....	Allen, R.	2604 Washington avenue.
184.....	Summers, J.	2627 Olive street.
185.....	Butter, A.	2626 Washington avenue.
186.....	Stephens, H.	2618 Washington avenue.
187.....	Whitecomb, S. W.	2601 Pine street.
188.....	Philips, F. A.	2644 Olive street.
189.....	Steward, H. A.	2602 Olive street.
190.....	Robinson, Jno.	2635 Olive street.
191.....	Mason, S. E.	2341 Olive street.
192.....	Mabrey, M. F.	2616 Locust street.
193.....	Moore, P.	2617 Olive street.
194.....	Silverwood, S. P.	2637 Pine street.
195.....	Schmidt, H. C.	2608 Locust street.
196.....	Thompson, F.	2617 Olive street.
197.....	Farrell, J.	2617 Olive street.
198.....	Wallis, A.	2621 Locust street.
199.....	Hogan, M. J.	2631 Pine street.
200.....	Gerbitz, J.	2617 Olive street.
201.....	Johnson, E. A.	2626 Washington avenue.
202.....	Thompson, R. W.	2606 Olive street.
203.....	Griffin, N. H.	2601 Olive street.
204.....	Hatfield, C. B.	2649 Olive street.
205.....	Tyus, E.	215 North Jefferson avenue.
206.....	Lyons, Geo.	2632 Olive street.
207.....	Montague, H. L.	2604 Locust street.
208.....	Mattern, T. H.	2608 Locust street.
209.....	Gaffney, W.	2627 Olive street.
210.....	Ward, L.	2621 Olive street.
211.....	Smith, L. E.	2642 Olive street.
212.....	Buck, C. B.	2603 Olive street.
213.....	Hodge, Wm.	2611 Pine street.
214.....	Heaton, R.	2608 Locust street.
215.....	Manheimer, Hy.	2636 Olive street.
216 (Ballot spoiled by voter.)	Parshal, J. K.	Hotel Garnie.
217.....	Parshall, J. K.	Hotel Garnie.
218.....	Parbey, Robt. J.	Hotel Garnie.
219.....	Arado, Dan	2607 Olive street.
220.....	Davis, O. C.	2600 Olive street.
221.....	Carey, J. C.	2603 Olive street.
222.....	Clark, E. C.	2634 Olive street.
223.....	Cartan, A. W.	2622 Locust street.
224, in other book 244.	Barnett, Hy.	2608 Olive street.
224, only in one book	Bowens, J.	2608 Olive street.
225, other book 226.	Brady, Thos.	2627 Olive street.
226, in other book 227.	Jarvis, T.	2624 Washington avenue.
227, other book 228.	James, Chas.	2627 Olive street.
228, in other book 229.	Green, H.	2636 Locust street.
229, other book 230.	Jones, Wm.	2607 Olive street.
230, in other book 231.	Farrell, J.	2601 Olive street.
231, in other book 232.	Lademan, O. F.	2644 Olive street.
232, in other 233.	Plamen, G.	2648 Locust.
233, in other book 234.	Crowley, J. G.	2627 Olive street.
234, in other book 235.	Campon, R.	2627 Olive street.
235, in other book 236.	Manning, J.	2604 Washington avenue.
236, in other book 237.	Carroll, J.	2601 Olive street.
237, in other book 238.	Crouch, J. W.	2601 Olive street.
238, in other book 239.	Blake, L.	2602 Locust street.
239, in other book 240.	Sheeps, M. E.	2644 Olive street.
240, in other book 241.	Burke, W. E.	2611 Pine street.
241, in other book 242.	Whittaker, O. C.	2644 Olive street.
242, in other book 243.	Allen, E.	2623 Pine street.
243, in other book 244.	Burke, J.	2627 Olive street.
245.....	Steele, Wm. H.	2642 Olive street.
246.....	Hatanigan, Peter.	2609 Olive street.
247.....	Murphy, C. E.	2635 Olive street.
248.....	Gurneth, Thos. F.	2642 Washington avenue.
249.....	Beffa, Emil.	2613 Olive street.
250.....	Wind, J.	2633 Pine street.
251.....	McNeary, Frank J.	2604 Washington avenue.
252.....	McNeary, Jno. F.	2604 Washington avenue.
253.....	Atubuchon, J. L.	2641 Olive street.
254.....	Arnold, B. L.	2618 Washington avenue.
255.....	Smith, H.	2639 Pine street.
256.....	Docking, J.	2629 Washington avenue.
257.....	Cunningham, J. D.	2659 Olive street.

Number.	Name.	Address.
258.....	Hengle, Wm. H.....	2601 Pine street.
259.....	Brown, L. H.....	2601 Pine street.
260.....	Nelson, E. H.....	2627 Olive street.
261.....	Hardy, Geo. M.....	2607 Olive street.
262.....	Mannheim, Sydney.....	2636 Olive street.
263.....	Blananon, Geo. C.....	2648 Locust street.

At the hour of 1 o'clock p. m. of this 2d day of January, 1903, I adjourned the further taking of testimony until the hour of 2 o'clock p. m. of this day.

Pursuant to adjournment, I commenced the further taking of testimony at the hour of 2.15 p. m. this 2d day of January, 1903.

By Mr. KINSEY:

Q. Will you proceed with the reading of the names, numbers, and addresses of voters of the fifth precinct of the Twenty-second Ward from poll books which were delivered to you by the custodian, Mr. Moore?—A. I will.

Number.	Name.	Address.
264.....	Reynolds, S.....	2649 Pine street.
265.....	Gould, R. O.....	2602 Olive street.
266.....	Jones, W.....	2605 Olive street.
267.....	Stephenson, H. B.....	2618 Washington avenue.
268.....	Simpson, J. O.....	2618 Washington avenue.
269.....	Sydman, J. A.....	2626 Washington avenue.
270.....	Schertz, C.....	2603 Olive street.
271.....	Sterno, J.....	2631 Olive street.
272.....	Schafer, C. E.....	2651 Olive street.
273.....	Smith, H. C.....	2607 Olive street.
274.....	Parvin, R. J.....	Hotel Garni.
275.....	Henry, Chas.....	2614 Olive street.
276.....	Conlon, F.....	2607 Olive street.
277.....	Cropper, A. T.....	2607 Pine street.
278.....	Dornitzer, J.....	2608 Locust street.
279.....	Littlefield, T. A.....	2601 Pine street.
280.....	Meyer, R. A.....	2630 Locust.
281.....	Jones, S.....	2608 Locust street.
282.....	Hopton, C. M.....	2608 Locust street.
283.....	Gray, Wm.....	2606 Olive street.
284.....	Jones, O. T.....	2601 Pine street.
285.....	Covington, W. C.....	2630 Washington avenue.
286.....	Thomas, A.....	2605 Olive street.
287.....	Casey, J. L.....	2627 Olive street.
288.....	Casey, Frank.....	2627 Olive street.
289.....	Soloman, M. A.....	2602 Locust street.
290.....	Claybourne, W.....	2603 Olive street.
291.....	Newbar, G. M.....	2646 Washington avenue.
292.....	Cooney, J. T.....	2608 Locust.
293.....	Cafferata, J.....	2605 Olive street.
294.....	Rambo, G.....	2651 Pine street.
295.....	Mitchell, W. E.....	2607 Locust.
296.....	Cave, A. L.....	2632 Olive street.
297.....	Flat, Hy.....	2644 Olive street.
298.....	Irving, A. W.....	2633 Pine street.
299.....	Eldridge, H. W.....	2608 Locust street.
300.....	Wills, M. N.....	2627 Olive street.
301.....	Dickenson, A. W.....	2637 Pine street.
302.....	Costello, W. H.....	2602 Locust street.
303.....	Crouin, J. B.....	2627 Olive street.
304.....	Connors, J. W.....	Hotel Garni.
305.....	Rook, A.....	2655 Olive street.
306.....	Foster, T.....	210 North Beaumont street.
307.....	Meyer, H. S.....	2635a Olive street.
308.....	Woorsley, P. S.....	2632 Locust street.
309.....	Austin, C. H.....	2629 Pine street.
310.....	Keith, Wm. F.....	2608 Locust street.
311.....	Bosley, E. N.....	2629 Locust street.
312.....	Nantz, J. S.....	2622 Locust street.
313.....	Kimbrough, J. S.....	2610 Locust street.
314.....	Walsh, D. E. Y.....	2608 Locust street.
315.....	Connors, J. W.....	Hotel Garni.
316.....	Dacy, J. F.....	2622 Washington avenue.
317.....	Sidmann, Jno. W.....	2626 Washington avenue.
318.....	Mialler, E. J.....	2626 Locust street.
319.....	Clanning, Wm.....	2635 Olive street.
320.....	Huanke, L.....	2628 Washington avenue.
321.....	Taytol, T. C.....	614 Locust street.
322.....	Buttelson, J. G.....	2657 Olive street.

Number.	Name.	Address.
323.	Wurmb, A.	2644 Washington avenue.
324.	Wurmb, Geo.	2644 Washington avenue.
325.	Fontana, J. R.	2600 Olive street.
326.	Franklin, H. L.	2616 Locust street.
327.	Robinson, W. M.	2608 Locust street.
328.	Jones, F. R. L.	2608 Locust street.
329.	Minfrord, R. W.	2617 Pine street.
330.	Bradley, J. H.	Hotel Garni.
331.	Boland, J.	Hotel Garni.
332.	Pennington, Geo. A.	2608 Locust street.
333.	Henderson, J.	2625 Olive street.
334.	Marshall, Thos. A.	2633 Pine street.
335.	Meyer, R. C.	2630 Locust street.
336.	Flemming, C.	2645½ Olive street.
337.	McIntosh, Lee; in other book, McIntosh, B.	2624 Washington avenue.
338.	Cushing, J. H.	2642 Washington avenue.
339.	Richardson, L.	2648 Washington avenue.
340.	Fritsch, W. E.	Hotel Garni.
341.	Johnson, H.	2650 Washington avenue.
342.	Dawson, W. M.	2608 Locust street.
343.	Bassott, A.	2634 Locust street.
344.	Barber, G. S.	2602 Locust street.
345.	Jones, M.	2627 Olive street.
346.	Johnson, H. J.	2603 Olive street.
347.	Herman, A. D.	2608 Locust street.
348.	House, C. H.	2608 Locust street.
349.	Guernsey, D. T.	2642 Washington avenue.
350.	Stewart, W. H.	2650 Washington avenue.
351.	Ryan, J.	2648 Washington avenue.
352.	Devoto, J. C.	2600 Olive street.
353.	Todde, F. A.	2620 Locust street.
354.	Burke, Thos. E.	2600 Olive street.
355.	Badge, B. F.	2600 Olive street.
356.	Goekmey, C. H.	2622 Locust street.
357.	Holliburtmon, R.	Hotel Garni.
358.	Dunbar, C.	2657 Olive street.
359.	McCurdy, D.	2648 Washington avenue.
360.	Stout, J. T.	2608 Locust street.
361.	Paine, J. F.	2628 Washington avenue in one book; in other, 2670 Washington avenue.
362.	Besch, R. E.	2604 Washington avenue.
363.	Curley, W.	2609 Olive street.
364.	Boyle, Alfred.	2620 Locust street.
365.	Ryan, T.	2605 Olive street.
366.	Boigono, A.	2607 Olive street.
367.	Renwick, R. W.	2622 Olive street.
368.	Perry, L. G.	2610 Olive street.
369.	Banks, W.	2621 Olive street.
370.	Babcock, E. H.	2620 Locust street.
371.	Ryan, E. J.	2717 Olive street.
372.	Meyer, L.	Hotel Garni.
373.	Stephens, Geo. H.	2608 Locust street.
374.	Cuddy, J.	2644 Olive street.
375.	Mansur, O. E.	2630 Locust street.
376.	Scott, W.	2651 Pine street.
377.	Shurte, E.	2603 Olive street.
378.	Conelly, J. N.	2617 Olive street.
379.	Rounds, F. M.	2615 Pine street.
380.	Miller, A. F.	2621 Locust street.
381.	Brosi, J. G.	2601 Olive street.
382.	Rankin, C. E.	2634 Locust street.
383.	Campbell, J.	2644 Olive street.
384.	Conley, P.	2651 Olive street.
385.	Robinson, F. B.	2616 Locust street.
386.	Fisher, B. J.	2808a Locust street.
387.	Mount, J.	2621 Olive street.
388.	Cain, Michael.	2620 Olive street.
389.	Melcham, J.	2611 Pine street.
390.	Doodewald, H. J.	2608 Olive street.
391.	Cross, T.	2635 Olive street.
392.	Connerton, J.	2606 Olive street.
393.	Borden, O. A.	2608 Locust street.
394.	Baache, Ed.	2627 Olive street.
395.	Rossi, F.	2617 Pine street.
396.	Smith, R. H.	2616 Olive street.
397.	Belscher, M. J.	2609 Olive street.
398.	Burke, Wm.	2615 Olive street.
399.	Cummings, F.	2653 Olive street.
400.	Simmons, M. H.	2634 Olive street.
401.	Willock, B. B.; in the other book, Wilek, C. B.	2620 Locust street.
402.	Ryburn, F. O.	2604 Locust street.
403.	Wright, Geo.	2647 Pine street.
404.	Williams, Robt.	2639 Pine street.

Number.	Name.	Address.
405.....	Harlan, W. E.....	2615 Pine street.
406.....	Hade, J. J.....	2655a Olive street.
407.....	Smithe, E.....	2627 Pine street.
408.....	White, B. L.....	2630 Olive street.
409.....	Phornton, Jef.....	2623 Pine street.
410.....	McCarty, David, jr.....	2612 Washington avenue.
411.....	Benjamin, C. E.....	2642 Olive street.
412.....	Staples, P. H.....	2601 Pine street.
413.....	Joseph, P. E.....	2655 Olive street.
414.....	Thompson, L. A.....	2653 Olive street.
415.....	Wynkoop, H. B.....	2329 Locust street.
416.....	Miles, J.....	2601 Olive street.
417.....	Dent, G. B.....	2628 Washington avenue.
418.....	Flanelly, T.....	2608 Locust street.
419.....	Carney, J.....	2627 Olive street.
420.....	Robertson, J. H.....	2648 Washington avenue.
421.....	Smith, A. N.....	2618 Locust street.
422.....	Davis, H.....	2642 Washington avenue.
423.....	Fahl, E.....	2617 Olive street.
424.....	Michael, E.....	2627 Olive street.
425.....	Labane, L. E.....	2634 Locust street.
426.....	Merifield, G.....	2629 Locust street.
427.....	Ervin, O. E.....	2607 Olive street.
428.....	Fielding, C. R.....	2655 Olive street.
429.....	Marsh, E. W.....	2612 Locust street.

By Mr. KINSEY:

Q. Will you now turn to the certificate of the judges and clerks attached to this poll book and read therefrom the votes certified that have been received by the candidates for Congress in the Twelfth district for the short term?—A. James J. Butler received 332 votes; George C. R. Wagoner received 71 votes. In the other book James J. Butler received 332 votes and there is no entry as to any other candidate for the short term.

Q. Are these poll books signed by the four judges and two clerks?—A. They are signed by three judges and two clerks.

Q. Will you now produce the poll books used in precinct 9, Ward 22, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of voters recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last name?—A. I will.

Number.	Name.	Address.
1.....	M. J. Finagan.....	310 North Channing avenue.
2.....	J. F. Lendwehr.....	321 Locust street.
3.....	P. E. Chapman.....	3325 Washington avenue.
4.....	J. O. Churchill.....	3028 Washington avenue.
5.....	E. M. Epstein.....	3108 Lucas avenue.
6.....	Sam Draker.....	3326 Washington avenue.
7.....	Geo. Kleyboeck.....	500 North Channing avenue.
8.....	F. J. Tholdott.....	3207 Olive street.
9.....	H. M. Pollard.....	3015 Washington avenue.
10.....	H. M. Pollard, jr.....	3015 Washington avenue.
11.....	H. F. Hafner.....	3015 Washington avenue.
12.....	A. O. James.....	3316 Washington avenue.
13.....	Theo. Bunding.....	3217 Locust street.
14.....	Henry Steepe.....	3223 Locust street.
15.....	W. G. Hills.....	3124 Lucas avenue.
16.....	R. G. Schooler.....	3104 Lucas avenue.
17.....	R. F. Smith.....	3030 Lucas avenue.
18.....	A. M. Roth.....	3201 Locust street.
19.....	W. J. Mitchell.....	617 North Leonard.
20.....	J. W. Kerr.....	3026 Lucas avenue.
21.....	L. A. Mueninghouse.....	517 North Leonard.
22.....	W. J. Castleton.....	504a Channing avenue.
23.....	H. McCullen.....	512 North Channing avenue.
24.....	R. M. Mahnard.....	3107 Washington avenue.
25.....	Ed McAllester.....	3206½ Lucas avenue.
26.....	Jas. Beecraft.....	3215 Washington avenue.
27.....	Joe H. Walker.....	3328 Locust street.
28.....	W. P. Godfrey, in other book W. P. Guthery.	3207 Washington avenue.
29.....	R. E. Payne.....	3119 Locust street.
30.....	D. B. Barssow, in other book D. B. Blarso.	3141 Washington avenue.
31.....	D. D. Holmes, in other book D. D. Holmon.	3040 Washington avenue.

Number.	Name.	Address.
32.....	T. Bartholomew	504 Channing avenue.
33.....	W. C. Boyd	307 North Compton avenue.
34.....	Blank	
35.....	Ed. Thorn	3326 Washington avenue.
36.....	H. M. Craig	312 North Channing avenue.
37.....	C. H. Semple	3007 Locust street.
38.....	H. I. Fench	3119 Locust street.
39.....	C. B. Junge	3115 Washington avenue.
40.....	E. S. Hetzel	3231 Washington avenue.
41.....	W. S. Bryan	3216 Washington avenue.
42.....	L. M. Jones	3316 Lucas avenue.
43.....	F. E. Arata	3036 Lucas avenue.
44.....	P. J. Cronin	310 North Channing avenue.
45.....	P. F. Denan	3211 Olive street.
46.....	Ed. R. Trembley	3145 Washington avenue.
47.....	R. S. Poppen	3328 Washington avenue.
48.....	Wm. Oreeke	508 North Channing avenue.
49.....	C. E. Hutehings	3115 Locust street.
50.....	C. L. Moder; only in one book	3307 Washington avenue.
51, in other book 50.....	J. B. NeBride	304 Channing avenue.
52, in other book 51.....	H. L. Chase	3321 Washington avenue.
53, in other book 52.....	A. C. Caisow	3141 Washington avenue.
54, in other book 53.....	E. T. Jett	3320 Lucas avenue.
55, in other book 54.....	O. M. James	3316 Washington avenue.
56, in other book 55.....	Jno. Anderson	308 North Channing avenue.
57, in other book 56.....	Fred Panter	500 North Channing avenue.
58, in other book 57.....	W. P. O'Neil	310 North Channing avenue.
In other book 58.....	Ed. Ryan	3311 Locust street.
59.....	Thos. Briffeth	310 North Channing avenue.
60.....	C. J. Dewey	3338 Washington avenue.
61.....	A. R. Flemming	3035 Washington avenue.
62.....	J. E. Clark	3217 Locust street.
63.....	M. D. Merdith	3031 Washington avenue.
64.....	W. C. Bager	3300 Washington avenue.
65.....	C. A. Woods	3210½ Lucas avenue.
66.....	Alfred Grayson	3223 Locust street.
67.....	H. C. Ladd	3043 Locust street.
68.....	S. P. Lyons	3207 Washington avenue.
69.....	W. W. Caruthers	3217 Washington avenue.
70.....	Fred Rusch	310 North Channing avenue.
71.....	Tom Hassett	310 North Channing avenue.
72.....	A. F. Wecke	3325 Washington avenue.
73.....	R. N. Bergstesser	3230 Locust street.
74.....	C. R. Creig	3031 Washington avenue.
75.....	H. R. Todd	3126 Lucas avenue.
76.....	R. C. Grier	3126 Lucas avenue.
77.....	J. P. O'Conner	3223 Locust street.
78.....	Chas. Moder	3307 Washington avenue.
79.....	Clarence Ridgon	3225 Locust street.
80.....	J. W. Wright	3336 Washington avenue.
81.....	F. T. Demnoek	3120 Washington avenue.
82.....	Chas. Ekin	3039 Locust street.
83.....	J. Tilford	3336 Washington avenue.
84.....	J. O. Breech	616 North Channing avenue.
85.....	Geo. Butterfield	3213 Locust street.
86.....	Ed. Merrell	3119 Locust street.
87.....	S. L. Moser	3025 Locust street.
88.....	Niek Ripper	3311 Locust street.
89.....	Jas. F. McCabe	3323 Locust street.
90.....	Carol M. Davis	3141 Locust street.
91.....	R. M. Newman	3149 Locust street.
92.....	J. F. Valley	3303 Washington avenue.
93.....	Gardner Semple	3702 Locust street.
94.....	R. L. Lampkin	618 North Leonard street.
95.....	Justis Steer	3126 Washington avenue.
96.....	C. H. Tolles	3305 Washington avenue.
97.....	M. S. Bowman	3023 Washington avenue.
98.....	D. Regan	3311 Locust street.
99.....	Jas. Tarley	508 North Channing avenue.
100.....	J. Lewis	3008 Lucas avenue.

At the hour of 5.45 p. m. I adjourned the further taking of testimony in this cause until the hour of 7 p. m. of this 2d day of January, 1903.

At the hour of 7.25 p. m. I resumed the taking of testimony in this cause this 2d day of January, 1903.

Q. (By Mr. HOLTCAMP.) Will you proceed with the reading of the numbers, names, and addresses of voters of the ninth precinct, Twenty-second Ward, which you were using prior to adjournment, and which has been delivered to you by the custodian, Mr. Moore?—A. Yes.

Number.	Name.	Address.
101	J. M. Melvin	3205 Washington avenue.
102	N. M. Prince	502 North Channing avenue.
103	W. H. Glace	3308 Lucas avenue.
104	Robt. Dalton	3311 Locust street.
105	Wm. Duffey	3311 Locust street.
106	Andrew Dennison	3311 Locust street.
107	Pat Donovan	3311 Locust street.
108	A. Ainsworth	3326 Lucas avenue.
109	J. T. Birsch	3031 Washington avenue.
110	J. A. Sheppard	613 Garrison avenue.
111	J. P. Penza	3012 Lucas avenue.
112	Sam Bowman	3100 Lucas avenue.
113	Leo Caplan	3104 Washington avenue.
114	Geo. Goddard	3134 Lucas avenue.
115	J. G. Arata	3036 Lucas avenue.
116	A. V. Brokaw	3200 Lucas avenue.
117	Dave Nelson	508 North Channing avenue.
118	Bleauanthus	3217 Washington avenue.
119	Jno. G. Davison	3230 Locust street.
120	Frank McCoy	501 North Channing avenue.
121	H. Rapps	3334 Locust street.
122	John O'Dale	3311 Locust street.
123	John Smith	3311 Locust street.
124	R. E. McLaughlin	3124 Locust street.
125	Tom O'Brien	3311 Locust street.
126	Frank Ott	3311 Locust street.
127	C. Ladd	3043 Locust street.
128	Fred James	3221 Locust street.
129	Elmer Jones	311 North Channing avenue.
130	J. S. Berthold	3333 Washington avenue.
131	F. Green	304 North Channing avenue.
132	D. H. Muenninghaus	517 North Leonard street.
133	J. Montgomery	3141 Locust street.
134	P. D. Walsh	3117 Washington avenue.
135	D. C. Fitzmaurice	3038 Lucas avenue.
136	John Donahue	310 North Channing avenue.
137	W. A. Alexander	3225 Locust street.
138	James Magee	3311 Locust street.
139	D. E. McAlisee	3206 Lucas avenue.
140	Huey O'Neil	3311 Locust street.
141	John O'Brien	3311 Locust street.
142	Chas. Bradley	3321 Locust street.
143	Fred Lindner	3328 Locust street.
144	C. A. Prater	512 North Leonard avenue.
145	A. J. Marglous	3032 Lucas avenue.
146	L. R. B. Brokaw	3200 Lucas avenue.
147	Christ Quinn	3332 Locust street.
148	John Holt	3323 Washington avenue.
149	Theo. H. Temple	3313 Washington avenue.
150	Thos. H. Harris	3322 Locust street.
151	John B. Beckett	3020 Washington avenue.
152	Arthur Chapman	3015 Locust street.
153	S. T. Harstfield	3213 Olive street.
154	J. Blatner	3324a Washington avenue.
155	George Viedt	310 North Channing avenue.
156	W. B. Potter	3312 Washington avenue.
157	George Thompson	3015 Locust street.
158	I. E. Rodenbaugh	508 North Leonard avenue.
159	Con Gallagher	3321 Locust street.
160	E. Carter	3321 Locust street.
161	W. Riley	3330 Locust street.
162	A. E. Adder	3315 Locust street.
163	H. A. Pattres	3329 Locust street.
164	H. L. Rask	3150 Washington avenue.
165	A. Bradley	307 North Compton avenue.
166	J. Beetel	3207 Olive street.
167	Steve Maternofsaey	619 Leonard avenue.
168	Tim Flynn	3223 Locust street.
169	Wm. Myers	510 North Leonard avenue.
170	P. J. Connely	3037 Washington avenue.
171	Jim Butler	3321 Locust street.
172	P. Dewyer	3334 Locust street.
173	George W. Riley	3122 Locust street.
174	James Vale	3335 Olive street.
175	A. Gorst	3231 Olive street.
176	Cooney Stuckmeyer	3231 Olive street.
177	Chas. Engler	500 North Channing avenue.
178	W. C. Fairbank	3215 Washington avenue.
179	D. W. Clifton	3119 Washington avenue.
180	Joe Brown	3230 Locust street.
181	E. S. Rockwood	3220 Washington avenue.
182	E. Smith	3320 Washington avenue.
183	W. S. Eames	3334 Washington avenue.
184	C. Grey	500 North Channing avenue.
185	Charles Motz	3335 Olive street

Number.	Name.	Address.
186.....	J. W. Johnson	3014 Lucas avenue.
187.....	John Jacobs	3324 Locust street.
188.....	J. L. Moeller	3106 Lucas avenue.
189.....	Phill Monday	614 North Compton avenue.
190.....	D. H. Hall	3310 Lucas avenue.
191.....	Lee Robert	3324 Washington avenue.
192.....	J. Mullen	512 North Channing avenue.
193.....	John Martin	3311 Locust street.
194.....	John Meyer	3311 Locust street.
195.....	G. W. Patterson	3332 Locust street.
196.....	W. P. Cahill	3231 Olive street.
197.....	Martin Brennen	3311 Locust street.
198.....	Joe Burns	3311 Locust street.
199.....	Joe Baker	3311 Locust street.
200.....	John Brown	3311 Locust street.
201.....	Ben Banks	3336 Washington avenue.
202.....	R. J. Jones	3231 Olive street.
203.....	D. W. Chatburn	3116 Washington avenue.
204.....	H. B. Wright	3100 Lucas avenue.
205.....	J. Jones	3231 Olive street.
206.....	Foster Chatburn	3116 Washington avenue.
207.....	James Dunn	3324 Locust street.
208.....	John Foster	3311 Locust street.
209.....	P. Hogan	3311 Locust street.
210.....	Pat Handley	304 North Channing avenue.
211.....	R. J. Hudson	304 North Channing avenue.
212.....	John Kelley	3311 Locust street.
213.....	Wm. Kerr	3311 Locust street.
214.....	R. J. Dwyer	3321 Locust street.
215.....	John M. Vann	3321 Locust street.
216.....	W. S. Kelley	3321 Locust street.
217.....	J. W. Porter	3320 Washington avenue.
218.....	David H. Williams	3321 Olive street.
219.....	A. J. Wilson	3311 Locust street.
220.....	J. Williams	3311 Locust street.
221.....	John Woods	304 North Channing avenue.
222.....	Grant Williams	308 North Channing avenue.
223.....	N. S. Wilson	304 North Channing avenue.
224.....	H. Young	3311 Locust street.
225.....	W. Yeager	3311 Locust street.
226.....	E. O'Connor	3331 Olive street.
227.....	H. B. Bruger	3116 Lucas avenue.
228.....	Harry Hanna	3335 Olive street.
229.....	H. L. Sporo	3319 Olive street.
230.....	H. Teason	306 North Channing avenue.
231.....	James Ohlman	3231 Olive street.
232.....	Dan Sullivan	500 North Channing avenue.
233.....	Harry Connor	3012 Lucas avenue.
234.....	Louis Jones	3316 Lucas avenue.
235.....	C. F. Allen	310 North Channing avenue.
236.....	Harry Quinn	3332 Locust street.
237.....	John Greffenkamp	310 North Channing avenue.
238.....	A. B. Murphy	310 North Channing avenue.
239.....	H. Leonard	310 North Channing avenue.
240.....	J. Muehler	3037 Washington avenue.
241.....	G. F. Burke	3147 Washington avenue.
242.....	W. O'Keefe	308 North Channing avenue.
243.....	Thos. O'Shea	3231 Olive street.
244.....	Thos. Hassett	3335 Olive street.
245.....	James M. Woods	3209 Washington avenue.
246.....	James B. O'Shea	3231 Olive street.
247.....	Jas. L. Durham	3330 Locust street.
248.....	W. Franke	3220 Washington avenue.
249.....	G. D. Bronson	3201 Washington avenue.
250.....	Leo Klauentry	3231 Olive street.
251.....	Geo. W. Eads	3324 Lucas avenue.
252.....	Chas. F. Meyer	3321 Locust street.
253.....	Fred Gross	3321 Locust street.
254.....	Oscar Ryan	508 North Channing avenue.
255a.....	A. A. Zertanna	504 North Channing avenue.
256.....	C. C. Anderson	3145 Locust street.
257.....	T. H. Conklin	3121 Locust street.
258.....	W. D. Cauty	614 North Compton avenue.
259.....	C. H. Goodman	3329 Washington avenue.
260.....	C. E. Goodman	3329 Washington avenue.
261.....	R. E. McLaughlin	3324 Lucas avenue.
262.....	Joe Miller	304 North Channing avenue.
263.....	T. H. Goddard	3134 Lucas avenue.
264.....	D. C. Bates	3134 Lucas avenue.
265.....	A. G. Gunn	508 North Leonard avenue.
266.....	W. A. Crook	3117 Washington avenue.
267.....	J. W. Carrnphess	3141 Washington avenue.
268.....	J. F. Fenn	3145 Washington avenue.
269.....	E. S. Rohbert	3224 Washington avenue.
270.....	W. Pearson	3320 Locust street.

Number.	Name.	Address.
271.....	Matt Hayford.....	316 North Channing avenue.
272.....	C. F. De Lisle.....	620 North Leonard avenue.
273.....	I. B. Robey.....	312 North Channing avenue.
274.....	C. H. Bryan.....	3217 Washington avenue.
275.....	L. Hayferd.....	316 North Channing avenue.
276.....	Dan Hayferd.....	316 North Channing avenue.
277.....	Wm. Holdsworth.....	3305 Washington avenue.
278.....	W. E. Campbell.....	3115 Locust street.
279.....	Thos. Hassett.....	3335 Olive street.
280.....	Clint Laidig.....	3023 Locust street.
281.....	Mike Jost.....	3327 Olive street.
282.....	F. P. Jones.....	3216 Locust street.
283.....	O. M. Jennes.....	3316 Washington avenue.
284.....	W. Jones.....	3315 Washington avenue.
285.....	Morris Landeau.....	3103 Locust street.
286.....	J. Lewis, jr.....	3008 Lucas avenue.
287.....	A. D. McDonald.....	3321 Olive street.
288.....	E. C. McCalliff.....	316 North Channing avenue.
289.....	Walter Philphott.....	3003 Locust street.

Q. (By Mr. CLINE.) Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. James J. Butler received 184 votes; George C. R. Wagoner received 102 votes, according to one of said certificates, and according to the other of said certificates James J. Butler received 184 votes, and George Reynolds received 102 votes for the short term.

Q. How many of the judges and clerks signed the certificates to which you have respectively just referred?—A. The first certificate was signed by three judges and one clerk, the second by four judges and two clerks.

Pursuant to adjournment, I commence the taking of testimony in this cause at the hour of 2.40 p. m., this 31st day of December, 1902.

Q. Mr. Gannon, will you produce the poll book used in precinct 3, Ward 6, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the number, names, and residences of the voters recorded therein, beginning with No. 1 and continuing in consecutive order to and including the last number?

Mr. FRUMBERG. Contestee interposes no objection to the production of these records by witness, nor does he object to his testimony in this matter, notwithstanding the fact that he, together with Witness Strueter, has testified before Notary Russell in both matters, and is now testifying in both matters. This is done for the reason that contestee is desirous of facilitating this investigation.

A. Yes.

Number.	Name.	Address.
1.....	W. H. Brown.....	721 South Broadway.
2.....	Bern. Brenner.....	837 South Eighth street.
3.....	Bernard Brenner.....	837 South Eighth street.
4.....	M. Boyal.....	905 South Seventh.
5.....	A. Baum.....	730 South Sixth.
6.....	Geo. Blackberger.....	823 South Sixth street.
7.....	B. M. Basseel.....	823 South Seventh.
8.....	Philip Bradley.....	816 South Eighth street.
9.....	G. J. Cook.....	527 Gratiot street.
10.....	J. F. Daly.....	519 Gratiot.
11.....	R. Boyed.....	523 Gratiot.
12.....	F. G. Doran.....	742 South Seventh.
13.....	J. P. Eckart.....	731 South Broadway.
14.....	G. W. Feiner.....	903 South Eighth street.
15.....	Wm. Fern.....	725 Gratiot.
16.....	Albert Franze.....	818 South Sixth street.
17.....	Patrick Fahey.....	708 Gratiot street.
18.....	B. J. Fahey.....	738 South Seventh.
19.....	Geo. Faelber.....	809 South Sixth street.
20.....	Wm. Fahey.....	708 Gratiot.
21.....	Francis Guerdan.....	829 South Seventh street.
22.....	E. W. Guerdan.....	827 South Seventh.
23.....	David Gilgrist.....	816 South Eighth.
24.....	Jas. Green.....	742 South Seventh.
25.....	Robert Harris.....	730 South Sixth street.
26.....	John Henry.....	905 South Seventh.
27.....	Henry Hoffman.....	705 Chouteau.

Number.	Name.	Address.
28.	J. J. Heitkamp	833 South Seventh.
29.	Joe Hegley	730 South Sixth.
30.	O. Hoel	835 South Eighth.
31.	V. Hammon	738 South Seventh.
32.	J. E. Hunt	824 South Ninth.
33.	W. J. Joyer	816 South Eighth.
34.	T. Johnson	707 South Broadway.
35.	J. Kastner	912 South Seventh street.
36.	T. Kaysing	713 Chouteau.
37.	A. H. Krepps	818 South Eighth.
38.	Joe Karry	823 South Seventh.
39.	C. Karry	823 South Seventh.
40.	S. Karry	823 South Seventh.
41.	P. J. Laughlin	830 South Seventh.
42.	G. Lubman	724 South Seventh.
43.	R. F. Lyons	742 South Seventh.
44.	E. Lewis	1105 Chouteau.
45.	T. Lever	806 South Eighth.
46.	T. McKeaver	810 South Eighth.
47.	J. McManus	742 South Seventh.
48.	M. McHugh	742 South Seventh.
49.	Geo. Mueller	826 South Eighth.
50.	C. Monaghan	831 South Sixth.
51.	E. Mueller	713 South Broadway.
52.	J. H. Murdock	825 South Sixth.
53.	Jas. P. Nolan	731 South Broadway.
54.	G. B. Nelson	805 South Broadway.
55.	J. Noonan	907 South Eighth.
56.	A. Nichols	804 South Seventh.
57.	M. J. Nolan	738 South Seventh.
58.	M. O'Donnell	837 South Eighth.
59.	D. O'Donnell	825 South Sixth.
60.	Joe N. L. O'Brien	742 South Seventh.
61.	J. C. Perrin	819 South Seventh street.
62.	G. Pappin	738 South Seventh.
63.	C. Peterson	812 South Sixth.
64.	T. Powe	815 Chouteau.
65.	J. H. Piffner	828 South Seventh.
66.	J. W. Quigley	885 South Eighth.
67.	H. Ror Kasse	709 Chouteau.
68.	J. F. Ragan	834 South Eighth.
69.	H. H. Rolles	817 Chouteau.
70.	A. Rosso	700 South Sixth.
71.	J. J. Rovane	806 South Eighth.
72.	J. Ryan	702 Gratiot.
73.	C. Spangler	810 South Seventh street.
74.	P. Seymore	819 South Seventh.
75.	C. Sampson	711 South Broadway.
76.	D. Sullivan	837 South Seventh.
77.	D. P. Sullivan	804 South Eighth.
78.	Wm. Sampson	711 South Broadway.
79.	T. P. Smith	742 South Seventh.
80.	M. Jennings	734 South Seventh.
81.	J. Kupferer	725 Chouteau.
82.	Joe Cadman	702 Gratiot.
83.	A. Terry	734 South Seventh.
84.	Andrew Wendle	737 South Seventh.
85.	Ed. Hurley	731 South Seventh.
86.	J. Barry	739 South Seventh.
87.	A. Lynch	823 South Sixth.
88.	J. Maloney	821 South Ninth.
89.	J. Kissel	725 Chouteau avenue.
90.	G. C. Simpson	741 South Broadway.
91.	W. Dolan	821 South Sixth.
92.	J. Jones	821 South Sixth.
93.	T. C. Combs	812 South Seventh.
94.	M. Meinhart	517 Gratiot.
95.	C. Peterson	812 South Sixth.
96.	Ed. P. Galmick	508 Cerre street.
97.	Daniel J. Carey	821 South Ninth.
98.	Mathew Fox	802 South Eighth.
99.	Angel Rosso	700 South Sixth street.
100.	Hugh Gribben	525 Gratiot.
101.	Phil May	605 Chouteau avenue.
102.	C. Combs	912 South Seventh.
103.	H. Haettel	707 Chouteau.
104.	Ed. Schneider	717 Chouteau.
105.	Henry Schneider	717 Chouteau.
106.	Leo Appondoris	810 South Seventh.
107.	L. L. Muller	717 South Broadway.
108.	Emil Freymark	905 South Seventh.
109.	Chas. Hoffman	805 Chouteau.
110.	Frank Delisle	738 South Seventh.
111.	Frank Boettger	737 South Seventh.
112.	J. P. Clark	834 South Sixth.

Number.	Name.	Address.
113.	Cicero Boquet	832 South Seventh.
114.	Ed. Murray	721 South Seventh.
115.	T. Moore	702 South Seventh.
116.	J. Contour	702 South Seventh.
117.	J. Lee	823 South Sixth.
118.	W. Hennesy	702 Gratiot.
119.	P. McCarthy	817 Chouteau.
120.	E. Stein	832 South Sixth.
121.	Chas. Spangler	820 South Seventh.
122.	T. Howard	738 South Seventh.
123.	J. Tress	836 South Seventh.
124.	J. Heckle	702 Gratiot.
125.	P. Manion	821 South Sixth.
126.	Chas. Keyes	734 South Seventh.
127.	T. Mason	734 South Seventh.
128.	J. L. Clark	738 South Seventh.
129.	J. Burke	702 Gratiot.
130.	J. Murphy	734 South Seventh.
131.	C. McCormack	821 South Sixth.
132.	A. Romeo	730 South Sixth.
133.	W. Whitting	725 Chouteau.
134.	R. Troutner	725 Chouteau.
135.	H. Hinsinger	725 Chouteau.
136.	J. D. Eiler	701 South Broadway.
137.	J. Danher	742 South Seventh.
138.	Wm. Vincent	815 South Sixth.
139.	J. Clase	815 South Sixth.
140.	J. White	911 South Seventh.
141.	A. Wolke	740 South Seventh.
142.	T. Emory	810½ South Seventh.
143.	E. Deffa	909 South Seventh.
144.	J. B. Heitkamp	833 South Seventh.
145.	L. E. Deffa	109 South Seventh.
146.	C. Barker	711 South Broadway.
147.	E. O'Keefe	837 South Eighth.
148.	W. Nally	836 South Seventh.
149.	M. Meyer	711 South Broadway.
150.	J. Lawler	800 South Eighth street.
151.	E. Moyer	823 South Sixth.
152.	E. Frymark	905 South Seventh.
153.	C. Hoffman	705 Chouteau.
154.	T. Delile	738 South Seventh.
155.	T. Boetger	737 South Seventh.
156.	J. P. Clark	834 South Sixth.
157.	C. Paquette	832 South Seventh.
158.	L. P. Nielson	619 Chouteau avenue.
159.	R. Hawkey	523 Gratiot.
160.	W. Huer	525 Gratiot.
161.	A. H. Randall	830 South Eighth.
162.	A. Wand	824 South Ninth.
163.	J. Tracy	905 South Seventh.
164.	L. W. Ritty	721 Chouteau.
165.	J. L. Gelespie	823 South Sixth.
166.	P. Hardy	823 South Sixth.
167.	J. Dunn	734 South Seventh.
168.	W. Walsh	837 South Eighth.
169.	M. F. Crawley	818 South Sixth.
170.	G. Nicholson	734 South Sixth.
171.	C. B. Shields	806 South Sixth.
172.	J. T. Hughes	828 South Ninth.
173.	E. J. Heitcamp	833 South Seventh.
174.	J. Johnson	Southeast corner Ninth and Gratiot.
175.	Scott Noble	702 Gratiot.
176.	A. Kleinschmidt	912 South Seventh.
177.	J. Eberly	659 Chouteau avenue.
178.	A. H. Randolph	830 South Eighth.
179.	M. Wotten	816 South Eighth.
180.	L. Nichols	804 South Seventh.
181.	J. Barsons	519 Gratiot.
182.	A. Pappin	738 South Seventh street.
183.	G. J. Beck	830 South Ninth.
184.	J. McKoem	737 South Broadway.
185.	J. Bretsch	725 Chouteau.
186.	W. Lever	806 South Eighth.
187.	T. Moore	821 South Sixth.
188.	S. Willis	738 South Seventh.
189.	J. Sprague	907 South Eighth.
190.	J. Moran	821 South Seventh.
191.	J. D. Leaver	606 South Eighth.
192.	J. Boyle	907 South Eighth.
193.	A. L. Fulton	617 Chouteau.
194.	L. W. Hacker	739 South Seventh.
195.	C. E. Yxa	834 South Seventh.
196.	J. Rone	710 South Seventh.
197.	C. Sheu	819 South Seventh.

Number.	Name.	Address.
198.	E. Nicholas	804 South Seventh.
199.	J. P. Kasing	713 Chouteau.
200.	F. Clarke	823 South Seventh.
201.	R. Gribbin	525 Gratiot.
202.	W. W. Lile	824 South Sixth.
203.	E. E. Parker	512 Cerre street.
204.	E. English	820 South Eighth.
205.	H. Kuntinmeyer	731 South Broadway.
206.	A. L. Stocker	733 South Seventh.
207.	Wm. Keith	733 South Seventh.
208.	Wm. Court	617 Chouteau.
209.	G. Achwab	617 Chouteau.
210.	G. Mumford	732 South Sixth.
211.	P. English	820 South Sixth.
212.	J. N. Grigsby	830 South Sixth.
213.	J. Devoy	733 South Seventh.
214.	A. Lutz	823 South Sixth.
215.	E. J. McCarthy	734 South Seventh.
216.	J. Davis	821 South Seventh.
217.	W. Sullivan	824 South Ninth.
218.	J. Lyman	815 Chouteau.
219.	W. Hays	738 South Seventh.
220.	J. A. Wehrman	707 South Broadway.
221.	L. Spiegel	725 Chouteau.
222.	M. Spiegel	725 Chouteau.
223.	A. J. Knepfert	907 South Seventh.
224.	L. Meyer	837 Chouteau.
225.	H. Sletan	519 Gratiot.
226.	J. C. Kaysing	713 Chouteau.
227.	J. L. Eilers	701 South Broadway.
228.	L. Stewart	710 South Sixth.
229.	J. Locatelle	817 South Sixth.
230.	G. Woolf	733 South Broadway.
231.	J. Nicholson	734 South Sixth.
232.	R. L. Sargent	825 South Sixth.
233.	C. D. Kenny	815 Chouteau avenue.
234.	D. Lawler	800 South Eighth street.
235.	Mr. Boelger	703 Chouteau.
236.	Mr. Herget	909 South Seventh.
237.	N. J. Flanagan	816 South Sixth.
238.	J. L. Flanagan	816 South Sixth.
239.	W. Flanagan	816 South Sixth.
240.	Mr. Brown	705 South Broadway.
241.	B. Blackford	705 South Broadway.
242.	T. Quinn	230 South Seventh.

Q. Please turn to the certificate of the judges and clerks attached to this poll book, and state the number of votes received by the various candidates for Congress for the Twelfth district, for the short term.—A. James J. Butler received 250 votes, George C. Wagoner received 28 votes.

Q. State by how many judges and clerks this certificate is signed?—A. Four judges and 2 clerks.

Q. State how many poll books you received for this precinct?—A. One.

Q. Will you produce the poll books for the third precinct of the Fifth Ward of the city of St. Louis, used in the election, November 4, 1902, and read therefrom the number, names, and addresses of the voters therein, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

Number.	Name.	Address.
2.	C. McCullough	313 Elm.
3.	L. Chisister	314 Clark avenue.
4.	W. Gordon	313 Spruce.
5.	H. M. Blades	306 Market.
6.	Alex. Wells	309 Spruce.
7.	Joseph Casey	624 South Broadway.
8.	H. Burke	115 South Third.
9.	H. Turner	634 South Broadway.
10.	Wm. O'Brien	620 South Broadway.
11.	Wm. Decker	313 Clark avenue.
12.	Joseph Beeler	622 South Broadway.
13.	Chas. Mueller	616 South Broadway.
14.	J. B. Kennedy	Erie House.
15.	John J. Foley	622 South Broadway.
16.	Jas. Moynahan	622 South Broadway.
17.	Dan McCarthy	631 South Broadway.
18.	Wm. F. Hurley	616 South Broadway.

Number.	Name.	Address.
19.	F. Connelly	631 South Broadway.
20.	Pat Shay	624 South Broadway.
21.	Gus Decker	313 Clark avenue.
22.	Thos. Martin	634 South Broadway.
23.	Michael Murphy	622 South Broadway.
24.	L. Lang	634 South Broadway.
25.	John Green	624 South Broadway.
26.	Phil Hornie	315 Clark avenue.
27.	Thos. Burke	620 South Broadway.
28.	Wm. Wilson	616 South Broadway.
29.	E. McDonald	632 South Broadway.
30.	John V. Doland	207 South Third.
31.	Jas. Kennedy	312 Clark avenue.
32.	Wm. Meagher	620 South Broadway.
33.	Jno. O'Brien	636 South Broadway.
34.	Frank Fahey	405 Cerre street.
35.	Jas. Morris	624 South Broadway.
36.	H. F. Wilbur	310 South Broadway.
37.	Thos. Hack	634 South Broadway.
38.	Jas. Biggens	405 Cerre street.
39.	Santo Dani	320 Walnut street.
40.	Sam Foster	315 Walnut.
41.	Arch Ferguson	101 South Third street.
42.	John Crawford	207 South Third.
43.	Geo. Deckman	No. 26 South Fourth street.
44.	Jas. McCormick	312 Clark avenue.
45.	John Lueders	No. 12 South Fourth street.
46.	H. Schuler	636 South Broadway.
47.	Henry Oheim	316 Walnut.
48.	Martin O'Brien	308 South Fourth.
49.	O. S. Weinberger	515 South Fourth.
50.	Thos. J. Ward	622 South Broadway.
51.	W. Francis	312 Clark.
52.	John Ross	636 South Broadway.
53.	Albert Brow	630 South Broadway.
54.	John Ray	622 South Broadway.
55.	Geo. Bolind	207 South Third.
56.	Martin Kelly	624 South Broadway.
57.	H. Rohdes	624 South Broadway.
58.	Wm. Barber	624 South Broadway.
59.	Robert Welch	312 Clark avenue.
60.	Thos. Elliott	304 Elm street.
61.	P. J. Lucius	No. — South Fourth street.
62.	Pat O'Donnell	312 Clark avenue.
63.	F. G. Cakeppeser	No. 8 South Fourth street.
64.	J. F. Kennedy	628 South Broadway.
65.	D. B. Taylor	206 South Fourth.
66.	Wm. Downing	317 Clark avenue.
67.	Dave Bunheim	206 South Broadway.
68.	Henry Potter	202 South Broadway.
69.	P. E. Collin	628 South Broadway.
70.	L. Munsu	411 Walnut street.
71.	Frank Farris	220 South Fourth.
72.	Edward Walsh	624 South Broadway.
73.	A. R. Murphy	624 South Broadway.
74.	N. Horn	624 South Broadway.
75.	Arthur Meyer	636 South Broadway.
76.	N. A. Lorenzen	313 Walnut.
77.	Ed. McCann	202 South Third street.
78.	Wm. Rice	636 South Broadway.
79.	Andrew Hart	634 South Broadway.
80.	Jas. Duggan	215 South Third.
81.	Jas. Higgin	626 South Broadway.
82.	Pat Dougherty	407 Cerre.
83.	R. Sloan	630 South Broadway.
84.	A. Hart	630 South Broadway.
85.	J. Probst	412 Market.
86.	M. Logan	302 Elm.
87.	John Moynahan	622 South Broadway.
88.	Jas. Lawler	Erie House.
89.	John Burke	305 South Third.
90.	Andrew Gontan	407 Cerre.
91.	Chas. Kane	622 South Broadway.
92.	P. Rohan	407 Cerre.
93.	Wm. Sheehan	304 Elm street.
94.	Peter Whalen	636 South Broadway.
95.	N. W. Cameron	27 South Fourth street.
96.	John Sangston	Erie House.
97.	John O'Donnell	312 Clark avenue.
98.	John W. Sasser	414 Market.
99.	Thos. Haley	825 Spruce.
100.	Francis Woods	Southern Hotel.
101.	Jerry Hurley	313 Clark avenue.
102.	C. P. Senter	Southern Hotel.
103.	W. D. Child	414 Market street.

Number.	Name.	Address.
104.	J. Betfa.	204 South Broadway
105.	John Gallagher.	312 Clark avenue.
106.	L. T. Miller.	411 Walnut.
107.	W. J. Sheey.	411 Walnut.
108.	Antonio Fopiano.	314 Clark avenue.
109.	J. Routh.	Erie House.
110.	Ed Long.	630 South Broadway.
111.	John Lane.	634 South Broadway.
112.	E. Pitts.	220 South Fourth.
113.	T. Pool.	634 South Broadway.
114.	John Maxwell.	631 South Broadway.
115.	Peter Rafferty.	220 South Fourth.
116.	Wm. Ryan.	624 South Broadway.
117.	H. St. Care.	624 South Broadway.
118.	R. E. Downy.	317 Clark avenue.
119.	John Hardy.	317 Clark avenue.
120.	Wm. Edwards.	636 South Broadway.
121.	T. Rodeman.	312 Clark avenue.
122.	Chas. E. Ware.	Southern Hotel.
123.	Henry Luders.	12 South Fourth street.
124.	John Miller.	624 South Broadway.
125.	L. McGuire.	220 South Fourth.
126.	L. Frank.	634 South Broadway.
127.	Mike O'Donnell.	312 Clark avenue.
128.	Rudolph Blattner.	326 Market.
129.	E. A. Tarpy.	628 South Broadway.
130.	Dan Hand.	207 South Fourth.

At the hour of 5.45 I adjourn the further taking of this deposition until the hour of 7 o'clock p. m., this 31st day of December, 1902.

Pursuant to adjournment I begin the taking these depositions at the hour of 7.45 p. m., this 31st day of December, 1902.

Q. (By Mr. KINZIE.) Will you continue to read from poll book 3 of the Fifth Ward, which you were reading, prior to the adjournment?—A. Yes.

Q. During the interval since the adjournment have these poll books been in your possession?—A. No.

Q. Where were they, if you know?—A. Delivered them to Mr. Reagan.

Q. Is he the regular custodian of the books, appointed by the board of election commissioners for their care during this investigation?—A. Don't know.

Q. By whom were you instructed to deliver them?—A. Mr. Russell said to deliver them to Mr. Moore and Mr. Reagan.

Q. Who is Mr. Russell?—A. He is the notary.

Number.	Name.	Address.
131.	Anton Emmons.	101 South Third street.
132.	E. C. Kamfer.	220 South Fourth.
133.	Fred Derrick.	620 Broadway.
134.	Andrew Graham.	306 Market.
135.	Paska Varena.	314 Clark avenue.
136.	Frank Ryan.	312 Clark avenue.
137.	Frank O'Neil.	Erie House.
138.	Wm. Purcell.	313 Elm.
139.	Martin Ferreck.	220 South Fourth.
140.	Thos. Coleman.	624 South Broadway.
141.	Aliadore D. Salvo.	314 Clark avenue.
142.	Michael Brennan.	411 Elm street.
143.	Thos. Dendy.	614 South Broadway.
144.	Max Strovel.	408 Clark avenue.
145.	Wm. Gurney.	220 South Fourth.
146.	John H. Grosge.	Southern Hotel.
147.	Henry Pickels.	102a South Fourth.
148.	Otto Schimmel.	506 South Broadway.
149.	J. J. Monyhan.	622 South Broadway.
150.	John Salmering.	312 South Fourth street.
151.	A. R. Foust.	Southern Hotel.
152.	John Ward.	407 Cerre street.
153.	Paul Wiesse.	321 Walnut street.
154.	Chas. H. Scofield.	Erie House.
155.	Jas. Barber.	312 Clark avenue.
156.	Chas. Wirth.	12 South Broadway.
157.	Wm. Cahill.	636 South Broadway.
158.	Peter Colville.	306 Market street.
159.	John Cury.	220 South Fourth.

Number.	Name.	Address.
160.....	Adolph Newbert.....	8 South Fourth street.
161.....	John F. Fisher.....	312 Clark avenue.
162.....	Art. Sales.....	624 Broadway.
163.....	Jacob Kurtz.....	324 South Fourth street.
164.....	Albert Fedder.....	622 South Broadway.
165.....	W. D. Debolt.....	410 1/2 Market.
166.....	Christ Oheim.....	316 Walnut.
167.....	Andrew Crack.....	6 South Broadway.
168.....	Frank Robert.....	213 South Third.
169.....	John Cahill.....	311 Elm street.
170.....	Sam Allen.....	12 South Fourth (rear).
171.....	Lee Seeger.....	Erie House.
172.....	S. M. Kimmel.....	312 South Broadway.
173.....	James Roach.....	115 South Third.
174.....	Thos. Hennessey.....	309 South Third street.
175.....	Fred Siedel.....	220 South Fourth.
176.....	J. C. Byus.....	104 South Fourth.
177.....	Jas. Moore.....	312 Clark avenue.
178.....	Geo. Kane.....	630 South Broadway.
179.....	Thos. Feeham.....	313 Elm street.
180.....	E. G. Keelaber.....	630 South Broadway.
181.....	John Ryan.....	622 South Broadway.
182.....	Andrew Goode.....	634 South Broadway.

Mr. WALSH. At this point the attorney for the contestee desires to call attention to the fact that the simultaneous depositions of Messrs. Gannon and Streutker before Notary R. A. Russell purporting to be a comparison of the poll books on the part of Mr. Streutker of the returns from the ninth precinct of the Fifth Ward, and on the part of Mr. Gannon of the third precinct of the Fifth Ward, is an absolute impossibility as in each instance the witnesses mentioned hold both books from the respective precincts for comparison.

Mr. KINZIE. Contestant's counsel desires to have it noted in the record that the reading comparison and testimony of the two witnesses mentioned above is being accorded upon separate typewriters and each of the witnesses is reading and testifying separately.

Number.	Name.	Address.
183.....	Owen Clark.....	Erie House.
184.....	Ed Porter.....	624 South Broadway.
185.....	E. C. Dieckmann.....	20 South Fourth street.
186.....	Tim. McDougha.....	Erie House.
187.....	Chas. E. Klotz.....	619 South Fourth.
188.....	Jos. Kelley.....	620 South Broadway.
189.....	Tom Tobin.....	312 Clark.
190.....	Harry Rice.....	Erie House.
191.....	Harry Watkins.....	312 Clark avenue.
192.....	Chas. McKey.....	Erie House.
193.....	Mike Cumming.....	220 South Fourth.
194.....	Frank North.....	630 South Broadway.
195.....	Pat Crawley.....	634 South Broadway.
196.....	John Sharp.....	624 South Broadway.
197.....	John Pope.....	220 South Fourth.
198.....	Arthur Donovan.....	634 South Broadway.
199.....	John Lane.....	636 South Broadway.
200.....	Harry Williams.....	636 South Broadway.
201.....	John Ragen.....	220 South Fourth.
202.....	H. Hoffman.....	312 Clark avenue.
203.....	J. R. Cabill.....	311 Elm street.
204.....	E. J. Morrissey.....	636 South Broadway.
205.....	W. A. Barbot.....	112 South Fourth.
206.....	T. McFarland.....	304 Elm street.
207.....	F. S. Chardawayne.....	Southern Hotel.
208.....	Ben Olweine.....	Southern Hotel.
209.....	Dan Devenney.....	312 Clark avenue.
210.....	Fred Phillipi.....	330 Market street.
211.....	F. J. Schwartz.....	318 South Fourth.
212.....	A. F. Laabs.....	311 Walnut street.
213.....	J. F. Haid.....	414 Market street.
214.....	J. Kunz.....	311 Walnut street.
215.....	J. F. May.....	407 Cerre street.
216.....	A. W. Casper.....	305 Clark avenue.
217.....	J. B. Cahill.....	636b South Broadway.
218.....	Wm. Cronin.....	622 South Broadway.
219.....	Wm. D. Devaux.....	208 South Fourth.
220.....	Harry Campbell.....	323 South Third.
221.....	Thos. Hartnett.....	636 South Broadway.

Number.	Name.	Address.
222	Henry Warner	611 South Broadway.
223	Louis Nally	208 South Fourth.
224	Wm. Downey, jr.	317 Clark avenue.
225	Geo. Schimmacker	308 South Fourth.
226	Thomas Harvey	Southern Hotel.
227	Jule Herrmann	410 Clark avenue.
228	August Glassow	32 South Fourth street.
229	Philip Bauer	312 South Broadway.
230	Thos. Morris	304 Elm street.
231	Patrick McDermitt	101 South Third street.
232	Barney Spelina	618 South Broadway.
233	Edward A. Volker	414 Market.
234	Robt. S. Brown	Erie House.
235	Jacob Fritschey	303 South Third.
236	Jos. Lenhardt, jr.	626 South Broadway.
237	Otto Wiese	324 Walnut street.
238	J. H. Mudd	Southern Hotel.
239	Dan Morgan	632 South Broadway.
240	Herman Knecht	318 South Fourth.
241	John Erhardt	16 South Fourth.
242	I. Newton	12 South Broadway.
243	E. J. Lewis	504 South Broadway.
244	C. Langer	211 South Fourth street.
245	F. M. Behymer	19 South Third street.
246	Phelix Henley	314 Market street.
247	John Lenhardt	626 South Broadway.
248	E. J. Collins	628 South Broadway.
249	August Delavar	200 South Broadway.
250	Wilber Douglass	15 South Third (rear).
251	Fred Eichenberger	513 South Fourth.
252	Dan Riorden	317 Clark avenue.
253	H. O. Donohue	317 Clark avenue.
254	Sylvester Powers	319 Spruce.
255	Geo. Manson	408 Clark avenue.
256	Arthur H. Muller	Erie House.
257	Paul Marshall	315 South Third.
258	H. E. Smith	410 Clark avenue.
259	John Horan	626 South Broadway.
260	C. F. Rieger	410 Clark avenue.
261	John Fredrick	324 Walnut.
262	Abraham Sayeg	636 South Broadway.
263	Thos. Sayeg	636 South Broadway.
264	N. Sayeg	636 South Broadway.
265	Wm. Nitsch	311 Walnut.
266	Ferdinand Zebisch	500 South Broadway.
267	Gus Oheim	326 Walnut.
268	Nick. Costello	316 South Fourth.
269	Louis Paudert	614 South Broadway.
270	A. F. Badger	322 Walnut.
271	Geo. Gretscl	100 South Fourth street.
272	Herman Flourke	361 South Third.
273	Jos. Kinzler	301 South Third street.
274	Chas. P. Sullivan	636 South Broadway.
275	Albert Schneider	18 South Fourth.
276	Wm. Dwyer	314 South Fourth street.
277	J. Jones	311 South Fourth.
278	Chas. Kowalski	613 South Fourth street.
279	Jam. McCarthy	502 South Broadway.
280	B. Cunningham	311 Elm.
281	Martin Geawinner	302 Elm.
282	Victor Posch	201 South Third street.
283	Sabato Copple	213 South Third street.
284	Pat Sullivan	628 South Broadway.
285	John Biggens	207 South Third street.
286	Albert Robins	615 South Fourth street.
287	Wm. Lottridge	636 South Broadway.
288	Herman Lueders	12 South Fourth street.
289	James Hurley	624 South Broadway.
290	Fred Schmidt	616 South Broadway.
291	O. L. Dieckman	20 South Fourth street.
292	Wm. Lahiv	115 South Third.
293	John McCaffrey	309 South Third.
294	C. J. Lenhardt	626 South Broadway.
295	Gus Roeker	613 South Fourth.
296	J. Howe	304 Elm.
297	Charles Dearborn	312 Clark avenue.
298	H. J. Miller	301 South Fourth.
299	Mike McGrath	502 South Broadway.
300	Geo. Williams	321 Spruce street.
301	Dekalb Collins	208n South Fourth street.
302	Geo. Cummings	410 Clark avenue.
303	Fred Klopfer	113 South Third street.
304	John Herrman	408 Clark avenue.
305	Mike Dwyer	314 South Fourth.

Q. (By Mr. KENZIE.) Will you now turn to the certificate of the judges and clerks on these poll books and read therefrom their certificate of the number of votes cast for each candidate for Congress in the Twelfth district for the short term?—A. James J. Butler received 234 votes; George Wagoner received 69 votes; Henry Artz received 2 votes.

Q. Are the certificates the same on both poll books?—A. Yes.

Q. State whether the certificates to both poll books are signed by the four judges and two clerks.—A. Yes, in both books.

Q. Will you now produce the poll book used in precinct 1, Ward 15, at the election held November 4, 1902, in the city of St. Louis, and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1 and continuing in consecutive numbers to and including the last named?—A. Yes.

Number.	Name.	Address.
1.....	Voelker, J. A.....	1300 Franklin avenue.
2.....	Vockhorst, Fred.....	1220 Franklin avenue.
3.....	Schuler, C. F.....	928 North High street.
1.....	Worthington, F. A.....	908 North Thirteenth.
5.....	Vogt, F.....	1309 Franklin avenue.
6.....	Roth, Gabriel.....	1110 Franklin avenue.
7.....	Powell, Ben.....	1307 Gay street.
8.....	Braham, Jos.....	1309 Franklin avenue.
9.....	Martha, J. E.....	1312 Franklin avenue.
10.....	Winters, W. H.....	1309 Franklin avenue.
11.....	Lay, A. J.....	1331 Franklin avenue.
12.....	McMillan, G. A.....	1304 Franklin avenue.
13.....	Terner, Chas.....	914 North Fourteenth.
14.....	Peters, Chas.....	1331 Franklin avenue.
15.....	Vingar, L. W.....	1331 Gay street.
16.....	Vickerson, S. R.....	926 North High street.
17.....	White, U. S.....	1313 Gay street.
18.....	Fox, Thos.....	1327 Franklin avenue.
19.....	Reidman, Jacob.....	923 North Thirteenth.
20.....	Kearney, J. T.....	1336 Franklin.
21.....	Brodie, M.....	1327 Franklin.
22.....	Holly, J.....	916 North Thirteenth.
23.....	Holland, E. B.....	1331 Franklin.
24.....	Hapfeld, Fred.....	926 North Thirteenth.
25.....	Shele, Phil.....	1244 Franklin avenue.
26.....	Coleman, S.....	1241½ Gay street.
27.....	Rece, Theo.....	1312 Franklin avenue.
28.....	Menard, P. A.....	922 North Thirteenth street.
29.....	Reinstadler, Geo.....	1233 Franklin avenue.
30.....	Zimpleman, Henry.....	1247 Franklin avenue.
31.....	Hertzog, Jul.....	1246 Franklin avenue.
32.....	Josephson, Maurice.....	918 North Thirteenth street.
33.....	Mathews, Jas. G.....	809 North Eleventh street.
34.....	Felton, W.....	915 North Twelfth street.
35.....	Young, W.....	917½ North Twelfth street.
36.....	Oksman, Dave.....	1112 Franklin avenue.
37.....	Schmitz, Chas.....	1244 Franklin avenue.
38.....	Seever, Stephens.....	1300 Franklin avenue.
39.....	Spelbrink, Louis.....	1321 Franklin avenue.
40.....	Waghalter, A. D.....	1308 Franklin avenue.
41.....	Bowman, S. C.....	1331 Gay street.
42.....	Bass, Joseph.....	1108½ Franklin avenue.
43.....	Barret, Chas.....	1316 Franklin avenue.
44.....	Spencer, Brown.....	812 North Twelfth street.
45.....	Van Russe, R.....	1216 Franklin avenue.
46.....	Grooms, C. R.....	1210 Wash street.
47.....	Debelach, J.....	1332 Franklin avenue.
48.....	Wilde, O.....	1237½ Franklin avenue.
49.....	Woods, A.....	1325 Franklin avenue.
50.....	McAfee, Win.....	905 North Eleventh street.
51.....	Jackson, Jim.....	818 North Twelfth street.
52.....	Rubenstein, M.....	914 North Thirteenth street.
53.....	Overback, Henry.....	914 North High street.
54.....	Schwartz, Fred.....	920 North High street.
55.....	Fredershausen, A.....	926 North Thirteenth street.
56.....	Ahern, Jos. R.....	820 North High street.
57.....	Burre, Ed.....	1115 Franklin avenue.
58.....	Cohen, Moses.....	914 North Fourteenth street.
59.....	Shapira, Harris.....	1114 Franklin avenue.
60.....	Bucheld, F.....	914 North Thirteenth street.
61.....	Belker, Barney.....	1121 Morgan street.
62.....	Barber, James.....	932 Twelfth street.
63.....	Bellis, Ed. R.....	1312 Franklin.
64.....	Ankle, Otto.....	929 High street.
65.....	Horstman, Albert D.....	1331 Franklin.
66.....	Frenz, Gus.....	920 North Thirteenth street.
67.....	Freeman, Wm. J.....	924½ North Fourteenth.
68.....	Montague, G.....	817 North Thirteenth street.

Number.	Name.	Address.
69	Connelly, Wm	1309 Franklin avenue.
70	Mitchell, Geo	1310 Wash street.
71	Belker, A	1121 Morgan street.
72	Farrel, J	919 North Thirteenth.
73	Werner, Q. P	1321 Franklin avenue.
74	Mohar, W. J	922 North Thirteenth.
75	Royer, Al	905 North High.
76	Hynes, Isaac	932 North Fourteenth.
77	Combs, Henry	1331 Gay street.
78	Diekow, C. W	917 North Thirteenth.
79	Kohn, Sam	914 North Fourteenth.
80	Maizner, M	115 Franklin avenue.
81	Ziekrot, P	910 North Thirteenth street.
82	Barnett, J	912 North Twelfth street.
83	Fox, C. M	912 North High street.
84	Clelan, Bob	1210 Franklin avenue.
85	Newfeld, L. W	1111 Morgan street.
86	Reily, Jas	1215 Franklin avenue.
87	Elman, Sam	932 North Fourteenth.
88	Londen, H	1300 Franklin avenue.
89	Ahe, Henry	906 North Thirteenth.
90	Niehaus, F. H	1302 Franklin avenue.
91	Wiggins, Chas	1312 Franklin.
92	Fisher, Chas. T	923 North Twelfth.
93	Reiley, Chas	1215 Franklin avenue
94	Reison, Jacob	1325 Franklin.
95	Broesch, Al	1309 Franklin avenue.
96	Hyman, Geo	1312 Franklin.
97	Neiman, Herman	1243 Franklin avenue.
98	Semptner, C. H	929 North Thirteenth street.
99	O'Leary, M	914 North High.
100	Webb, Jno. G	927 North High.
101	Kuhfs, Richard	905 North High street.
102	Robinson, Mose	1311 Franklin.
103	Kenney, A. T	808 North Twelfth.
104	Likus, Fred	1312 Franklin.
105	Wilson, Jos.	812 North Twelfth.
106	Knapsteadt, G. W	1100 Wash street.
107	Fleener, I	1237½ Franklin avenue.
108	Vissering, Fred	922 North High street.
109	Norton, Jno. P.	1246 Franklin.
110	Deikert, Wm	1327 Franklin.
111	Depalma, Ernest	1323 Franklin avenue.
112	Hortschner, Aaron	913 North High.
113	Chapman, Jesse	1250 Wash street.
114	Galligan, J. F	919 North Thirteenth street.
115	Kohn, S. S	914 North Fourteenth street.
116	Back, L. J	1300 Franklin.
117	Kohnigh, L	1335 Franklin.
118	Ruhl, Theo.	1244 Franklin.
119	Horstman, Al	1309 Franklin.
120	Greenberg, Mose	115 Franklin.
121	Fogerty, Jas.	924 North High.
122	Betzle, Frank	1244 Franklin.
123	Engwal, Chas. O.	1300 Franklin.
124	Lewis, Geo.	1314 Wash street.
125	Rubenowitz, A	1114 Franklin avenue.
126	McMannus, Pat	1244 Wash street.
127	Wilkinson, A. W	923 North High.
128	Klein, Jno	905 North High.
129	Rongey, A	1309 Franklin avenue.
130	Segaloff, Jacob	1309 Franklin avenue.
131	Norton, Ed	1246 Franklin.
132	Fink, Geo. W	1223 Franklin.
133	Foster, T. H	813 North Thirteenth.
134	Glum, J. H	817 North Eleventh.
135	Minion, Will	1114 Franklin avenue.
136	Cullen, John	1306 Wash street.
137	Friedner, H	914 North Fourteenth street.
138	Scherer, Will	1312 Franklin avenue.

Q. (By Mr. KINSEY.) Will you turn to the certificates of the judges and clerks on these poll books and read therefrom the vote certified to have been cast for the several candidates for Congress in the Twelfth district for the short term?—A. Yes. C. R. Wagner received 41 votes; J. Butler received 106 votes. On other poll book Jim Butler received 106 votes and J. R. Wagner received 41 votes.

Q. Have the four judges and two clerks signed this certificate?—A. On one poll book Judges Thomas Fox and Chas. Peters signed, and M. R. Brodie, clerk; and on the other poll book Fred Hutfeldt signed, but line drawn through name. Thomas Fox, Charles Peters, judges, and M. Brodie, clerk, also signed.

At the hour of 11 p. m. I adjourn the further taking of testimony in this cause until Friday, January 2, 1903, at the hour of 9 a. m.

Pursuant to adjournment, I commenced the further taking of testimony in this cause this 2d day of January, 1903, at the hour of 9.30 a. m.

Q. (By Mr. HOLTCAMP.) Will you produce the poll books from the eleventh precinct of the Fifteenth ward, and read therefrom the numbers, names, and places of residence of the voters described therein, beginning with No. 1 and reading consecutively to the end thereof?—A. Yes.

Number.	Name.	Address.
1.	Littleton Walker	2005 Pine street.
2.	Willa W. Viley	2102 Olive street.
3.	Richard Mooney	2117 Pine street.
4.	Samuel M. Ward	2131 Locust street.
5.	Albert G. Schmelter	2000 Olive street.
6.	Wm. Swartz	1827 Olive street.
7.	Wm. J. Rogers	1824 Olive street.
8.	Bernard Dubler	2004 Olive street.
9.	John Galbin	1803 Olive street.
10.	Wm. E. Marshall	2107 Olive street.
11.	Edw. Romer	2020 Olive street.
12.	C. M. Boogher	2107 Olive street.
13.	Gabriel Worthan	2117 Olive street.
14.	A. Brink	2014 Olive street.
15.	Hugh Larkin	2000 Olive street.
16.	Edw. S. McCarthy	2102 Olive street.
17.	Jos. S. Buchanan	2123 Pine street.
18.	A. K. Terry	1803 Locust street.
19.	Frank Johnson	2122 Olive street.
20.	J. G. Maggs	1804 Locust street.
21.	Samuel C. Crebling	2117 Pine street.
22.	J. K. Robertson	2023 Olive street.
23.	Louis Rupenthal	1813 Olive street.
24.	Michael Ahern	1831 Olive street.
25.	G. R. Bell	2116 Olive street.
26.	Frank A. Wiedner	1825 Olive street.
27.	E. C. Scott	1719 Pine street.
28.	John Callahan	2125 Pine street.
29.	Wm. Jirard	217 North Twenty-first street.
30.	J. A. Walker	2020 Olive street.
31.	Joe W. Gray	1804 Locust street.
32.	Frank S. Smith	2118 Locust street.
33.	Norwood Fitch	2117 Olive street.
34.	James J. Kennedy	1831 Olive street.
35.	Andrew W. Morrison	1803 Locust street.
36.	Jos. Wahlen	2125 Pine street.
37.	L. K. Quinn	1720 Olive street.
38.	H. L. Lames	1921 Olive street.
39.	Louis Baltz	2103 Olive street.
40.	Eugene E. Ames	1921 Olive street.
41.	Wm. J. Kelly	2100 Olive street.
42.	Samuel Most	1800A Olive street.
43.	Chas. Phillips	2000 Washington avenue.
44.	C. E. Cummings	2023 Olive street.
45.	J. Lande	2114 Olive street.
46.	E. Wittaker	2019 Olive street.
47.	Julius Bross	2004 Olive street.
48.	Stephen Arnold	2006 Olive street.
49.	Anton J. Weidner	1825 Olive street.
50.	Ralph A. Nunn	1800A Olive street.
51.	Wm. Brown	2118 Olive street.
52.	Wm. Gibbons	2023 Pine street.
53.	Richard Higdon	1811 Olive street.
54.	Geo. W. Thornhill	2000 Washington avenue.
55.	Frank R. Charles	2117 Olive street.
56.	James W. Murphy	1831 Olive street.
57.	Chas. F. Aeziere	2004 Olive street.
58.	W. E. Gillham	1711 Locust street.
59.	Owen Lyons	2100 Olive street.
60.	James O. Alter	2131 Locust street.
61.	Fredrick Ries	2106A Olive street.
62.	James Johnson	1727 Locust street.
63.	N. E. G. Walther	2013 Olive street.
64.	G. E. Fritchse	1810 Olive street.
65.	Lawrence Butler	2014 Olive street.
66.	James D. Smith	Seventeenth and Olive streets.
67.	Daniel Harrigan	2118 Olive street.
68.	Ira L. Huffman	1814 Olive street.
69.	Patrick Lyons	1802 Olive street.
70.	Robert H. Wehrheim	1803 Locust street.
71.	P. C. Troutman	1814 Olive street.
72.	M. H. Fitzgerhald	1803 Olive street.
73.	Edw. F. Kammann	2001 Olive street

Number.	Name.	Address.
74.....	Chas. S. Slaughter.....	2023 Olive street.
75.....	Geo. A. Warrance.....	1834 Locust street.
76.....	Edw. Bryan.....	2118 Locust street.
77.....	John W. Hill.....	2118 Olive street.
78.....	Samuel L. Markes.....	2114 Olive street.
79.....	Thos. F. Morrisey.....	2122 Locust street.
80.....	Paul F. Garnier.....	5002 North Eighteenth street.
81.....	J. J. McWarther.....	Northeast corner Nineteenth and Locust streets.
82.....	Geo. Mull.....	1813 Olive street.
83.....	E. C. Jeffries.....	2116 Olive street.
84.....	Harry Gershon.....	214 North Twenty-first street.
85.....	M. D. Hudson.....	1810 Olive street.
86.....	Michael Greenberg.....	2114 Olive street.
87.....	Geo. London.....	2122 Olive street.
88.....	Wm. Waugh.....	2005 Locust street.
89.....	E. M. Davidson.....	1831 Olive street.
90.....	H. A. Moore.....	1712 Locust street.
91.....	Geo. H. Brandt.....	2110A Olive street.
92.....	Walter G. Fritz.....	2122 Olive street.
93.....	F. R. Gustafson.....	1706 Locust street.
94.....	Ed. Ratcliffe.....	1861 Olive street.
95.....	Martin J. Terril.....	2016 Locust street.
96.....	E. M. Crow.....	2100 Olive street.
97.....	L. A. Hall.....	1806 Olive street.
98.....	Martin C. Hurly.....	2100 Olive street.
99.....	S. F. Lawlar.....	1730 Olive street.
100.....	Norman L. Florshiem.....	1930 Olive street.
101.....	Francis Conway.....	1831 Olive street.
102.....	Geo. W. Richards.....	2025 Pine street.
103.....	J. E. McKee.....	2107 Olive street.
104.....	Wm. T. Jones.....	1803 Olive street.
105.....	Chas. F. Hafner.....	2113 Locust street.
106.....	Frank Hooper.....	2014 Olive street.
107.....	John T. Ford.....	1814 Olive street.
108.....	H. W. Young.....	1801 Olive street.
109.....	Martin Fellhauer.....	1909 Pine street.
110.....	Wm. W. Lee.....	1712 Locust street.
111.....	H. E. Stewart.....	1800 Olive street.
112.....	Michael T. Murphy.....	1720 Olive street.
113.....	Thos. P. O'Conner.....	2100 Olive street.
114.....	James H. Hicks.....	1801 Olive street.
115.....	Hugh Boyle.....	2031 Olive street.
116.....	Aaron Jones.....	1819 St. Charles street.
117.....	D. S. Cassell.....	1724 Olive street.
118.....	Chas. B. Wilson.....	2002 Olive street.
119.....	Melvin W. Lorenz.....	2025 Olive street.
120.....	T. E. Tobin.....	1901 Locust street.
121.....	Chas. W. Richards.....	2025 Pine street.
122.....	Robert P. Bringham.....	1820 Locust street.
123.....	Nelso Nordberg.....	2118 Locust street.
124.....	Clyde C. Radavaugh.....	1827 Olive street.
125.....	Carl Stevens.....	2014 Olive street.
126.....	Rudolph Casper.....	1911 Olive street.
127.....	Wm. C. Bridges.....	1929 Olive street.
128.....	James Lubbering.....	2103 Olive street.
129.....	Geo. Vlases.....	217 North Eighteenth street.
130.....	E. J. Casey.....	1929 Olive street.
131.....	Richard W. Walter.....	2120 Olive street.
132.....	Curtis Paschal.....	1925 St. Charles street.
133.....	Nelson Jacobson.....	1811 Olive street.
134.....	Hy. M. Davis.....	2011 Olive street.
135.....	James E. Hyde.....	409 North Eighteenth street.
136.....	Albert E. Bannerman.....	1706 Locust street.
137.....	Louis F. Gruber.....	1829 Olive street.
138.....	Bart Murphy.....	1720 Olive street.
139.....	Wm. E. Medley.....	2016 Olive street.
140.....	John D. Mears.....	2122 Locust street.
141.....	Peter M. Beard.....	2103 Olive street.
142.....	A. H. Wakefield.....	2128 Olive street.
143.....	Simon Galvin.....	1803 Olive street.
144.....	Jacob L. Shane.....	2103 Olive street.
145.....	Jno. Raynor.....	2025 Olive street.
146.....	Geo. Dennis.....	1708 Olive street.
147.....	J. G. Phirman.....	1706 Locust street.

Q. (By Mr. HOLTCAMP.) Will you now state the vote for each Congressional candidate for the short term as certified by the judges in the poll book you have just read?—A. James J. Butler received 89 votes; George C. R. Wagoner received 40 votes; H. H. Artz received 7 votes.

Q. How many of the judges and clerks signed the poll books?—A. Four judges and two clerks.

Q. Will you produce the poll books from precinct 5, Ward 5, and read from them the numbers, names, and places of residence of the voters contained, beginning with No. 1 and reading consecutively to the end thereof?—A. Yes.

Number.	Name.	Address.
1.....	John Lynch.....	3001 South Broadway.
2.....	G. G. Easton.....	315 South Broadway.
3.....	Frank Wagner.....	5007 Spruce street.
4.....	Thos. Howe.....	511 Spruce street.
5.....	Robert Kent.....	511 Spruce street.
6.....	Martin Gill.....	509 Spruce street.
7.....	Peter Cole.....	507 Spruce street.
8.....	John Armstrong.....	507 Spruce.
9.....	Ed. Baker.....	509 Spruce street.
10.....	Wm. Smith.....	511 Spruce street.
11.....	James Jones.....	627 South Broadway.
12.....	Aug. W. Behrens.....	517 Poplar street.
13.....	Conrad Maul.....	404 South Seventh street.
14.....	Wm. Roberts.....	509 Spruce street.
15.....	John Murphy.....	511 Spruce street.
16.....	Richard Barton.....	511 Spruce street.
17.....	Wallace Long.....	520 Clark avenue.
18.....	Peter White.....	401 South Broadway.
19.....	John Boyd.....	509 Spruce street.
20.....	James Becker.....	509 Spruce street.
21.....	John Ross.....	627 South Broadway.
22.....	L. B. Detlinger.....	505 South Broadway.
23.....	H. Duing.....	504 South Sixth street.
24.....	Wm. Derbin.....	400 South Seventh street.
25.....	Wm. Rice.....	402 South Seventh street.
26.....	A. Rebear.....	633 South Broadway.
27.....	Thos. Burk.....	400 South Seventh street.
28.....	Chas. J. Carey.....	400 South Seventh street.
Other book.....	J. P. O'Hara.....	400 South Seventh street.
29.....	John Bernard.....	509 Spruce street.
Other book.....	M. Williams.....	507 Spruce street.
30.....	Jos. P. O'Hara.....	400 South Seventh street.
Other book.....	P. Douglas.....	509 Spruce street.
31.....	Martin Williams.....	507 Spruce street.
Other book.....	J. Smith.....	401 South Broadway.
32.....	Peter Douglas.....	509 Spruce street.
Other book.....	J. Clark.....	509 Spruce street.
33.....	James Smith.....	401 South Broadway.
Other book.....	H. Best.....	627 South Broadway.
34.....	James Clark.....	509 Spruce street.
Other book.....	T. Williams.....	509 Spruce street.
35.....	Harry Best.....	627 South Broadway.
Other book.....	F. Martin.....	627 South Broadway.
36.....	Thos. Williams.....	509 Spruce street.
Other book.....	J. Toomey.....	507 Spruce street.
37.....	Frank Martin.....	627 South Broadway.
Other book.....	F. Thomas.....	511 Spruce street.
38.....	Jos. Toomey.....	507 Spruce street.
Other book.....	O. Woods.....	507 Spruce street.
39.....	Fred Thomas.....	511 Spruce street.
Other book.....	T. Butler.....	401 South Broadway.
40.....	Oscar Woods.....	507 Spruce street.
Other book.....	E. Ragen.....	401 South Broadway.
41.....	Thos. Butler.....	401 South Broadway.
Other book.....	J. Kennedy.....	401 South Broadway.
42.....	E. Reagan.....	401 South Broadway.
Other book.....	E. Heideman.....	400 South Seventh street.
43.....	John Kennedy.....	401 South Broadway.
Other book.....	H. Gosebrink.....	504 South Sixth street.
44.....	Ed. Heideman.....	400 South Seventh street.
Other book.....	L. Fields.....	618 Spruce street.
45.....	Wm. Gosebrink.....	504 South Sixth street.
Other book.....	E. Ryan.....	509 Spruce street.
46.....	Levi Fields.....	618 Spruce street.
Other book.....	R. Odlay.....	511 Spruce street.
47.....	Ed. Ryan.....	509 Spruce street.
Other book.....	James Joy.....	511 Spruce street.
48.....	R. Odlay.....	511 Spruce street.
Other book.....	F. McCarthy.....	509 Spruce street.
49.....	James Joy.....	511 Spruce street.
Other book.....	J. Murphy.....	504 Spruce street.
50.....	Frank McCarthy.....	509 Spruce street.
Other book.....	T. Howard.....	400 South Seventh street.
51.....	James Murphy.....	504 Spruce street.
Other book.....	J. Arnold.....	511 Spruce street.
52.....	Thos. Howard.....	400 South Seventh street.
Other book.....	J. Smith.....	401 South Broadway.
53.....	John Arnold.....	511 Spruce street.
Other book.....	J. Meyer.....	627 South Broadway.
54.....	John Smith.....	401 South Broadway.

Number.	Name.	Address.
Other book	A. Terry	511 Spruce street.
55.	John Meyer	627 South Broadway.
Other book	C. Hogan	607 South Broadway.
56.	A. Terry	511 Spruce street.
Other book	F. Broeg	319 South Broadway.
57.	Chas. Hogan	607 South Broadway.
Other book	C. Nan	629 South Broadway.
58.	Fred Broeg	319 South Broadway.
Other book	A. C. Brown	303 South Broadway.
59.	Chas. Nan	629 South Broadway.
Other book	C. J. Carey	400 South Seventh street.
60.	A. C. Brown	303 South Broadway.
Other book	J. Bernard	509 Spruce street.
61.	Ed. Garvey	504 Spruce street.
62.	Stanley Bowling	316 South Seventh street.
63.	Jos. G. Albrecht	301 South Broadway.
64.	Chas. Hughes	401 South Broadway.
65.	Wm. W. Walton	413 South Sixth street.
66.	Wm. J. Brunner	401 South Broadway.
67.	Timothy McGrath	401 South Broadway.
68.	James Halpin	400 South Seventh street.
69.	Geo. Randolph	511 Spruce street.
70.	Frank L. James	507 Spruce street.
71.	Patrick Clifford	507 Spruce street.
72.	Michael Haley	506 Spruce street.
73.	Jos. F. Becker	401 Spruce street.
74.	Patrick Harris	516 Spruce street.
75.	Ed. Matler	401 South Broadway.
76.	Robert McDonnald	509 Spruce street.
77.	W. Weitzel	401 South Broadway.
78.	James E. Martin	509 Spruce street.
79.	W. G. Panger	415 South Broadway.
80.	Chas. King	509 Spruce street.
81.	Thos. Ford	511 Spruce street.
82.	Al. Weseman	401 South Broadway.
83.	John May	627 South Broadway.
84.	Jos. A. Connors	401 South Broadway.
85.	Ed. Rigney	400 South Seventh street.
86.	W. Cutlar	400 South Seventh street.
87.	J. R. Berman	400 South Seventh street.
88.	Harry Lane	507 Spruce street.
89.	Al. Henry	601 South Broadway.
90.	James Woods	627 South Broadway.
91.	Thos. Maloney	401 South Broadway.
92.	C. J. Mayer	509 Spruce street.
93.	Martin Carey	507 Spruce street.
94.	Daniel O'Connell	415 South Broadway.
95.	Peter Horn	509 Spruce street.
96.	Wm. Weber	509 Spruce street.
97.	Chas. Schmidt	511 Spruce street.
98.	Geo. Wilson	509 Spruce street.
99.	Otto Lear	509 Spruce street.
100.	Frank Taylor	506 Spruce street.
101.	Geo. Arnold	511 Spruce street.
102.	H. E. Copland	629 South Broadway.
103.	W. White	520 Clark avenue.
104.	Harry St. Clair	509 Spruce street.
105.	W. D. Dunn	519 Spruce street.
106.	Frank Davitt	507 Spruce street.
107.	James Nolan	627 South Broadway.
108.	Harry J. Murphy	511 Spruce street.
109.	Al. Weiss	509 Spruce street.
110.	John Green	400 South Seventh street.
111.	James Joy	627 South Broadway.
112.	Geo. W. Court	509 Spruce street.
113.	Tom Hamilton	302 South Seventh street.
114.	F. G. Brohammer	603 South Broadway.
115.	Wm. Walker	509 Spruce street.
116.	Harry Parker	520 Clark avenue.
117.	H. J. Allen	509 Poplar street.
118.	James Rigney	400 South Seventh street.
119.	Thos. C. Collins	511 Spruce street.
120.	J. McAllister	303 South Broadway.
121.	Sam Moore	509 Spruce street.
122.	John Watson	509 Spruce street.
123.	H. Nold	507 Spruce street.
124.	John Thomas	507 Spruce street.
125.	Geo. Will	509 Spruce street.
126.	Mike Long	504 Spruce street.
127.	J. Smith	629 South Broadway.
128.	Thos. O'Neil	507 Spruce street.
129.	Chas. Botzel	507 South Broadway.
130.	Wm. M. Finley	407 South Broadway.
131.	John Franklin	520 Clark avenue.
132.	Al. Thomas	507 Spruce street.

Number.	Name.	Address.
133.	Ed. Parker	509 Spruce street.
134.	Jos. Simon	509 Spruce street.
135.	Hy. Walker	509 Spruce street.
136.	Otto Stewart	509 Spruce street.
137.	Louis Hogan	511 Spruce street.
138.	Jos. F. Fisher	506 Spruce street.
139.	Hy. Bell, sr.	506 South Seventh street.
140.	Frank Chapman	504 Spruce street.
141.	Thos. J. McManus	506 Spruce street.
142.	Geo. Melven	400 South Seventh street.
143.	John Cook	613 South Broadway.
144.	Robert Coleman	400 South Seventh street.
145.	Walter T. Young	520 Clark avenue.
146.	Louis Schnur	305 South Broadway.
147.	F. J. Frick	304 South Seventh street.
148.	L. W. Taylor	401 South Broadway.
149.	Gus. Ellis	401 South Broadway.
150.	John Almus	627 South Broadway.
151.	James O'Donnell	508 Spruce street.
152.	Thos. H. Stanton	413 South Sixth street.
153.	John Thomas	512 Spruce street.
154.	Chas. J. Mesker	401 South Broadway.
155.	Mike McCave	523 Spruce street.
156.	Al. Wagner	603 Poplar street.
157.	Wm. Menaugh	407 South Broadway.
158.	G. W. Goodwin	519 Poplar street.
159.	W. D. Avery	511 Spruce street.
160.	V. L. Worth	504 South Sixth street.
161.	Wm. Wand	415 South Broadway.
162.	Chas. Clark	455 South Broadway.
163.	Wm. D. Hubele	631 South Broadway.
164.	J. J. Kilroy	633 South Broadway.
165.	Ben Herman	614 Clark avenue.
166.	Wm. Hartman	603 South Broadway.
167.	Harry George	638 South Seventh street.
168.	Peter J. McGann	607 South Broadway.
169.	John Keenan	625 South Broadway.
170.	L. P. Williams	633 South Broadway.
171.	John F. Cusick	121 Poplar street.
172.	John B. Coryell	309 South Broadway.
173.	Wm. Schumacker	501 South Sixth street.
174.	Chas. F. Pardeck	504 South Seventh street.
175.	Alex. Moore	615 Spruce street.
176.	Simon Samuials	511 South Broadway.
177.	Jos. Reiff	400 South Seventh street.
178.	D. F. Bennett	320 South Seventh street.
179.	William Jordan	306 South Seventh street.
180.	Ed. Rapphold	509 South Broadway.
181.	Fred G. Becker	605 South Broadway.
182.	Florintine Wilkins	700 South Seventh street.
183.	Will Petty	520 Clark avenue.
184.	Moses Gibbons	400 South Seventh street.
185.	Christ H. J. Adolf	509 South Broadway.
186.	Hy. Hurlebous	638 South Seventh street.
187.	John Humphrey	520 Clark avenue.
188.	Otto Brandenberger	515 South Broadway.
189.	Chas. Wenzeler	517 Poplar street.
190.	Chas. Smith	504 Spruce street.
191.	Chas. Howell	318 South Sixth street.
192.	James Butler	415 South Broadway.
193.	Frank Weis	514 Spruce street.
194.	Aug. Brass	633 South Broadway.
195.	Frank R. Lewis	319 South Broadway.
196.	Ed. Crenshaw	614 Clark avenue.
197.	Wm. Wagner	319 South Broadway.
198.	Mike Corlas	501 South Broadway.
199.	Fred Raymond	400 South Seventh street.
200.	Julius Albrecht	300 South Seventh street.

At the hour of 1 o'clock p. m. of this 2d day of January, 1903, I adjourn the further taking of testimony until the hour of 2 o'clock p. m. of this day.

Pursuant to adjournment I commenced the further taking of testimony at the hour of 2.15 o'clock p. m. this 2d day of January, 1903.

By Mr. KINSEY:

Q. Will you proceed with the reading of the numbers, names, and addresses of the voters of the fifth precinct of the Fifth Ward, which you were using prior to adjournment and which has been redelivered to you by the custodian, Mr. Moore?—

A. Yes.

Number.	Name.	Address.
201.....	Wm. Howard	504 Spruce street.
202.....	Alois Barth	501 South Seventh street.
203.....	Wm. Weitzel	401 South Broadway.
204.....	Jos. Krauer	517 Poplar street.
205.....	Paul L. Becker	401 South Broadway.
206.....	W. Swabey	505 South Broadway.
207.....	E. Hausman	627 South Broadway.
208.....	Fred Weizel	401 South Broadway.
209.....	Wm. Muntz	506 Spruce street.
210.....	R. E. Tobias	401 South Broadway.
211.....	S. W. Heller	510 Poplar street.
212.....	Hy. Bangert	639 South Broadway.
213.....	Wm. Schmidt	514 Spruce street.
214.....	Frank Biederman	515 South Broadway.
215.....	F. J. Fletcher	400 South Seventh street.
216.....	Jos. F. O'Donnell	508 Spruce street.
217.....	Aug. F. Brass, jr	633 South Broadway.
218.....	R. S. Baldwin	401 South Broadway.
219.....	Michael Wolf	603 Cerre street.
220.....	James Thorpey	505 South Broadway.
221.....	Herman Vette	313 South Broadway.
222.....	Emil Almus	627 South Broadway.
223.....	J. W. Murphy	401 South Broadway.
224.....	W. C. Britt	401 South Broadway.
225.....	Geo. Oggelsby	511 Spruce street.
226.....	Ed. McClain	401 South Broadway.
227.....	Geo. Nevine	504 Spruce street.
228.....	Chas. Heimann	401 South Broadway.
229.....	Pat Earner	638 South Seventh street.
230.....	Hy. Ahler	401 South Broadway.
231.....	W. E. Haines	509 Spruce street.

By Mr. HOLT CAMP:

Q. Will you please state the vote received by each Congressional candidate for the short term as certified to by the judges in the poll books from which you have just read?—A. I find that the names of George C. R. Wagoner is certified to under the long term, and G. D. Reynolds under the short term. That is to say, James J. Butler received 192 votes; G. D. Reynolds received 30 votes.

Q. How many of the judges and clerks signed that poll book?—A. Four judges and two clerks on one poll book and three judges and one clerk on the other.

Q. Will you produce the poll books used in the election of November 4, 1902, in the seventh precinct of the Thirteenth Ward of the city of St. Louis, Mo., and read therefrom the numbers, names, and addresses of the voters recorded therein, beginning with No. 1 and reading in consecutive order to and including the last number?—A. Yes.

Number.	Name.	Address.
1.....	Geo. C. Reed	2743A Caroline street.
2.....	Noah N. Cook	2730 Rutger street.
3.....	Shen, M. J	2649 Park avenue.
4.....	Fritz, R. J	2630 Caroline street.
5.....	Gibbons, Benj	2731A St. Vincent street.
6.....	Ebeurick, Hy	2732 Caroline street.
7.....	Hare, J. E	2746 Rutger street.
8.....	Birmingham, M	2651 Caroline street.
9.....	Steffen, J. T	2728 Caroline street.
10.....	Lahey, M	2712 Rutger street.
11.....	Remington, C. J	2728 Rutger street.
12.....	Garstang, James	2731 St. Vincent street.
13.....	Hailey, J. C	2758A Rutger street.
14.....	Blanke, Benj	2710 Caroline street.
15.....	Heiman, E. J. E	1315 Ohio avenue.
17.....	Crouch, Wm	2632 Caroline street.
18.....	Wickey, Chas	2755 St. Vincent street.
19.....	Wolf, Phil	2718 Rutger street.
20.....	Haeffling, Emil	2721 Caroline street.
21.....	Rakop, Fred	2770 Rutger street.
22.....	Windegger, Geo. E	2720A Park avenue.
23.....	Mellage, Chas. M	234 Caroline street.
24.....	Powers, M. J	2710 Caroline street.
25.....	Greer, E. O	2750 Park avenue.
26.....	Wall, J. R	2726 Rutger street.
27.....	McClelland, T. J	1416A Ohio avenue.
28.....	Puls, Herman	2716 Rutger street.
29.....	Dillon, James	2632 Rutger street.
30.....	Albis, Chas. M	2644 Caroline street.

Number.	Name.	Address.
31	Shull, Chas. W.	2645 Park avenue.
32	Clark, Bernard	2726 Caroline street.
33	Quigley, T. J.	1307 Ohio avenue.
34	Greer, W. G.	2751 Park avenue.
35	Ahman, Louis A.	2642 Caroline street.
36	Weber, Hy. H.	2607 Caroline street.
37	Weyl, Hy.	2623 Park avenue.
38	Banks, M. J.	2742 Park avenue.
39	Van Sant, Chas.	2760 Rutger street.
40	Ferner, Jno.	2730 Caroline street.
41	Hewit, Jno.	1323 South Jefferson avenue.
42	McMahon, M.	2738 Rutger street.
43	Dahlberg, G. L.	2748 Rutger street.
44	Heet, Oscar	2725 St. Vincent street.
45	Boehmer, A. F.	2710A Caroline street.
46	Johnson, Jno. F.	2625 Park avenue.
47	O'Connor, J. J.	2634 Rutger street.
48	Overholt, J. J.	2633 Park avenue.
49	Kuhl, F. A.	2763 Park avenue.
50	Brashear, C. E.	2620 Rutger street.
51	Mueth, Jno.	1516 California avenue.
52	Clark, N. G.	2736 Caroline street.
53	Bemarkt, Hy.	2749 Caroline street.
54	Timmerman, A. H.	2633A Park avenue.
55	Condon, J. M.	2650 Rutger street.
56	Hammond, J. J.	2756 Park avenue.
57	Ernst, Geo. F.	2609 Caroline street.
58	Dickson, R. M.	2716 Park avenue.
59	Helmholt, Al.	2644 Rutger street.
60	Illig, Wm.	2637 Caroline street.
61	Smith, Chas. A.	2624 Caroline street.
62	Parle, Jno. W.	2705 Park avenue.
63	Smith, Geo. E.	2635 Park avenue.
64	Kuithe, Wm. C.	1309 Ohio avenue.
65	Hyde, Wm. F.	2718A Park avenue.
66	Wright, E. W.	2720 Park avenue.
67	Prunkard, David.	2716 1/2 Caroline street.
68	O'Brien, James A.	2701 Park avenue.
69	Sittig, Arthur M.	2622 Rutger street.
70	Green, Fred J.	2718 Rutger street.
71	Doekery, Jno. F.	2738 Rutger street.
72	Condon, Wm.	2650 Rutger street.
73	Hoerr, Jno. H.	2631 Park avenue.
74	Hauck, Christ.	2700 Park avenue.
75	Daugherty, Wm. J.	2607 Park avenue.
76	Wirth, Adam.	2709A St. Vincent street.
77	Stultemeier, Jos. B.	2752 Caroline street.
78	Kennedy, R. J.	2618 Caroline street.
79	Dauscha, Frank J.	2637 Caroline street.
80	Galvin, David.	2652 Rutger street.
81	Schmidt, Otto D.	2630 Caroline street.
82	Lemeke, E. H.	2612 Rutger street.
83	Bennett, Geo. W.	2714 Caroline street.
84	Singleton, Frank F.	2712 Park avenue.
85	Earle, Andrew	2705 Park avenue.
86	Stierlin, H. A.	2754 Caroline street.
87	O'Rourke, F. F.	2607 Park avenue.
88	Bene, Eugene	2646 Rutger street.
89	Kennel, A. C.	2627 Park avenue.
90	Kiel, H. W.	2717 St. Vincent street.
91	Phierry, Edw.	2759 Caroline street.
92	Lyndsy, E. S.	2635 Park avenue.
93	Tiefenbrunn, H. J.	2749 Park avenue.
94	Stanley, M.	2720 Rutger street.
95	Haefling, F. J.	2721 Caroline street.
96	Russel, Al.	2651 Caroline street.
97	Doyle, P. J.	2729 Park avenue.
98	Fisher, Wm. J.	2757 Caroline street.
99	Little, Garret	2642 Caroline street.
100	Clayberg, Perry C.	2609 Park avenue.
101	Elder, Hugh	2628 Rutger street.
102	Ames, Frank	2703 St. Vincent street.
103	Queser, Hy. J.	2601 Park avenue.
104	Creamer, Jno. A.	2643 Caroline street.
105	Pashall, Chas. H., jr.	2619 Park avenue.
106	Charleton, J. E.	2652 Caroline street.
107	Dietz, Louis	2766 Rutger street.
108	Brennan, M. J.	2610 Rutger street.
109	McMahon, C. M.	2709 St. Vincent street.
110	English, Pat.	2645 Caroline street.
111	Wall, Jno.	2726 Rutger street.
112	Sittig, Richard A.	2622 Rutger street.
113	Hackett, Michael	1518 California avenue.
114	Geudam, Nick, jr.	2606 Caroline street.
115	Thielan, H. J.	2615 Rutger street.

Number.	Name.	Address.
116.	Lahey, James M.	2712 Rutger street.
117.	Leob, Leo	1301 Ohio avenue.
118.	Davis, C. W.	1416 Ohio avenue.
119.	Brunswick, Hy.	2643 Park avenue.
120.	Ebenrick, Fred	2732 Caroline street.
121.	Wiseman, Wm	2717 St. Vincent street.
122.	Stephens, W. T.	2627 Caroline street.
123.	Devine, Thos.	2756 Rutger street.
124.	Mahoney, Tim	2721 Rutger street.
125.	Noonan, John J.	2727 St. Vincent street.
126.	McKenna, M.	2771 Caroline street.
127.	McKenna, Jos.	2765 Caroline street.
128.	Gerling, Chas. C.	2719 St. Vincent street.
129.	Hall, Thos.	2763 Caroline street.
130.	Toussaint, Geo.	2608 Caroline street.
131.	Dunsford, Jno.	2760 Caroline street.
132.	Quinlan, Wm. S.	2714½ Caroline street.
133.	Kaut, Thos. F.	2742 Caroline street.
134.	Bemarkt, W. C.	2749 Caroline street.
135.	Mead, B. F.	2710 Park avenue.
136.	Smith, Frank	2624 Caroline street.
137.	Bostelman, A. C.	2607 Caroline street.
138.	Read, L. W.	2751 St. Vincent street.
139.	Wicks, Edw. B.	2744 Rutger street.
140.	Hegger, Jno. H.	2634 Rutger street.
141.	Bemmet, H. C.	2636½ Rutger street.
142.	Weegman, Chas.	2765 Park avenue.
143.	Mueller, Frank	1416 California avenue.
144.	Prunkard, Jno. W.	2716½ Caroline street.
145.	Hill, Hy. D.	2713 Caroline street.
146.	Dutcher, I. W.	2731A Park avenue.
147.	Graham, Jon. H.	2729A Park avenue.
148.	Manley, G.	2651 Caroline street.
149.	Hurley, James L.	1416 California avenue.
150.	Kuhl, Geo. C.	2763 Park avenue.
151.	Dwyer, Thos.	2716 Caroline street.
152.	Stouffer, Wm. L.	2636A Caroline street.
153.	Merrill, Cyrus	2703A St. Vincent street.
154.	Edgar, James L.	2756 Park avenue.
155.	Feager, Jno. T.	2603 Park avenue.
156.	Mitchell, B.	2645 Caroline street.
157.	O'Brien, Michael	2608 Rutger street.
158.	O'Brien, Jno. C.	2608 Rutger street.
159.	McMahon, Hy. A.	2615 Caroline street.
160.	Younger, W. T.	1414 California.
161.	Maylor, L. F.	2631 Caroline street.
162.	Condon, Jno. W.	2650 Rutger street.
163.	McFarland, E. P.	2653 Caroline street.
164.	Doyle, Wm	2744 Caroline street.
165.	Runkel, Edw.	2758 Caroline street.
166.	Kavanaugh	2750 Caroline street.
167.	Allen, Jno. H.	2634 Rutger street.
168.	Stiehl, Al. W.	2767 Park avenue.
169.	Bromsweig, Jos. A.	2643 Park avenue.
170.	Hennesey, A. A.	2713 Caroline street.
171.	Kumpf, H. P.	2646 Rutger street.
172.	Harrison, F. T.	2701 St. Vincent street.
173.	Bourne, Edw.	1311 Ohio avenue.
174.	Stanley, Jno.	2720 Rutger street.
175.	Wilkenson, J. M.	2642 Rutger street.
176.	Shea, Jno. P.	2649 Park avenue.
177.	Hirsch, Mose	2756 Park avenue.
178.	Sheridan, James	1311 Ohio avenue.
179.	Snyder, Frank	2753 St. Vincent street.
180.	Conley, James M.	2731A Park avenue.
181.	Fisher, Edw. E.	2723 Caroline street.
182.	Kane, Stephan	2612 Caroline street.
183.	Reed, Edw.	2653 Caroline street.
184.	Noe, Thos. W.	2624 Rutger street.
185.	Fay, M. R.	2614 Caroline street.
186.	Toussaint, Chas., jr.	2628 Caroline street.
187.	Kuechler, Philip	2711 Caroline street.
188.	Husemeyer, Aug	2602 Caroline street.
189.	Bierman, R. D.	2654 Rutger street.
190.	Westbrook, Thos., jr.	2746 Park avenue.
191.	Toussaint, Chas., sr.	2608 Caroline street.
192.	Krieger, Chas. P.	2618 Rutger street.
193.	Mudge, Chas. W.	2711A Park avenue.
194.	McClelland, J. R.	1116A Ohio avenue.
195.	Kloth, Fred J.	2701 Caroline street.
196.	English, Chas. W.	2725A St. Vincent street.
197.	Wall, Walter A.	2726 Rutger street.
198.	Stanley, Wm	2720 Rutger street.
199.	Wjka, Arthur J.	2753 St. Vincent street.
200.	Kelley, D. F.	2627 Park avenue.

Number.	Name.	Address.
201	Ringhoff, Wm. T	2722 Caroline street.
202	Mudge, Al	2711A Park avenue.
203	Wolf, Hy	2615 Park avenue.
204	Purcell, Thos. W	2640 Caroline street.
205	Scott, W. G.	2752 Rutger street.
206	Wjka, Al. E.	2753 St. Vincent street.
207	Fleshert, Geo. W	2727 Park avenue.
208	Simpson, Miller	2724 Rutger street.
209	Stephen, Edw. J	1516 California avenue.
210	Conway, Thos. J	2626 Rutger street.
211	Quinn, Edw.	2758 Caroline Street.
212	Knauff, Ang	2732 Park avenue.
213	Allen, Hy. J.	2767 Caroline street.
214	Gilbreth, Hurd	2700 Caroline street.
215	Simon, Lawrence	2644 Caroline street.
216	Mergelmann, Theo	2637 Park avenue.
217	Bausman, Reinhart	1411 California avenue.
218	Kimmie, Fred	1313 Ohio avenue.
219	Jones, Wm	1313 Ohio avenue.
220	O'Connell, Jno. J.	2630A Rutger street.
221	Schomaker, H	2656 Rutger street.
222	Giesler, Edw. F	2612 Rutger street.
223	Williams, Chas. A	2712½ Caroline street.
224	Miller, W. G.	2646 Caroline street.
225	O'Brien, Wm.	2762 Rutger street.
226	Woods, James E.	2709 Park avenue.
227	Nichols, Wm. K	2733 Caroline street.
228	Bjorkman, Oscar M	2748 Rutger street.
229	Taylor, Geo	1315 Ohio avenue.
230	Rahkop, Christ	2770 Rutger street.
231	Wall, Robt	2763 Park avenue.
232	Wjka, Frank	2755 St. Vincent street.
233	Stumborg, Fred J	2769 Caroline street.
234	Fritsche, Arthur O	2610 Caroline street.
235	Purcell, Jno. A	2640 Caroline street.
236	Bjorkman, Alfred	2748 Rutger street.
237	Lippmann, Chas	2700 Caroline street.
238	Kane, Thos. F.	2612 Caroline street.
239	McAndrew, M	2705 Park avenue.
240	Welby, Thos	2644½ Rutger street.
241	Allen, D. D.	2723 St. Vincent street.
242	Jaischke, Gustave	2746A Park avenue.
243	Woodica, Chas. B.	2747 Caroline street.
244	Cotner, L. V.	2628 Rutger street.
245	Browne, Joseph H.	2740 Rutger street.
246	Shelton, William	2736 Caroline street.
247	Hunter, James T	1307 Ohio.
248	Zwermann, Frank	2727A Park avenue.
249	Cunningham, A.	2707A St. Vincent avenue.
250	Craig, George	1514 California avenue.
251	Haefling, John J	2721 Caroline street.
252	Dwyer, James	2716 Caroline street.
253	Tobin, P. J	2760 Caroline street.
254	Danuser, Anton	2746 Rutger street.
255	Koester, Jacob	2636 Rutger street.
256	Riegal, F	2610 Rutger street.
257	Fieher, F. G	2723 Caroline street.
258	Hennessy, Wm	2713A Caroline street.
259	Walsh, John	2743 Caroline street.
260	Cramer, James F.	2643 Caroline street.
261	O'Brien, M. J	2731 Park avenue.
262	Kibbele, Frank	2760 Rutger street.
263	Elliott, Sam R	2703 St. Vincent avenue.
264	Niekemper, Henry	1514 California avenue.
265	Kuith, George	2707 Park avenue.
266	Miller, H. A	2727A St. Vincent avenue.
267	Purcell, Thos. E	2640 Caroline street.
268	Quinlan, T. J	2714½ Caroline street.
269	Thelan, Paul M	2652 Rutger street.
270	Reub, Joseph	2708 Caroline street.
271	Dwyer, Wm. J	2716 Caroline street.
272	Keating, Thomas	2644 Rutger street.
273	Hassebrink, Theo	2719 St. Vincent street.
274	Brunning, J. W.	2700 Caroline street.
275	McDonnell, J. L	2700 Caroline street.
276	Westbrook, Thomas	2746 Park avenue.
277	Dwyer, Martin	2816 Caroline street.
278	Mulderrig, Wm	2629 Caroline.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at the said precinct?—A. Yes; James J. Butler

received 139 votes; George C. R. Wagoner received 108 votes; Henry H. Artz received 2 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have referred?—A. Four judges and two clerks.

Q. Will you produce the poll books in precinct No. 13 of the Twenty-second Ward, at the said election on the 4th day of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each said book?—A. Yes.

Number.	Name.	Address.
1.....	Dryden, Philander E.....	3402 Washington avenue.
2.....	Whitelsey, Edw. N.....	3427 Olive street.
3.....	Ruppin, Herbert.....	3416 Washington avenue.
4.....	Masterson, Thos.....	520 West End place.
5.....	Moore, Saml. P.....	3509 Olive street.
6.....	Crane, Walter F.....	3416 Washington avenue.
7.....	Woodworth, L. K.....	3527 Lindell avenue.
8.....	Woodford, Wm.....	3405 Olive street.
9.....	Ebersole, Taylor H.....	3509 Olive street.
10.....	Carroll, Thos. P.....	3509 Olive street.
11.....	Howard, Stephen.....	305 Channing avenue.
12.....	Hawkins, A. B.....	514 North Theresa avenue.
13.....	Connor, Thos. J.....	3424 Lucas avenue.
14.....	Waer, Geo. E.....	519 North Theresa avenue.
15.....	Wren, James W.....	3513 Lindell avenue.
16.....	Hableman, Mandus A.....	3404A Washington avenue.

At the hour of 5.45 p. m. I adjourn the further taking of testimony in this cause until the hour of 7 p. m. of this 2d day of January, 1903.

At the hour of 7.25 p. m. I resumed the taking of testimony in this cause this 2d day of January, 1903.

By Mr. HOLTCAMP:

Q. Will you proceed with the reading of the numbers, names, and addresses of voters of the thirteenth precinct of the Twenty-second Ward, which you were using prior to adjournment and which has been redelivered to you by the custodian, Mr. Moore?—A. Yes.

Number.	Name.	Address.
17.....	Jordan, Frank.....	3408 Washington avenue.
18.....	Lintzenich, Jos. W.....	517 North Theresa avenue.
19.....	Young, Upton M.....	3429 Olive street.
20.....	Turner, Geo. P.....	3425 Olive street.
21.....	Laidley, Leon H.....	3538 Washington avenue.
22.....	Croston, Wm.....	521 North Channing avenue.
23.....	Seropyan, Onnick.....	3531 Olive street.
24.....	Hall, Willard C.....	3518 Washington avenue.
25.....	Kearns, Thos.....	3500 Lucas avenue.
26.....	Sorgen, Jos. W.....	3416 Washington avenue.
27.....	Switzer, Roland W.....	3541 Lindell boulevard.
28.....	Keith, C. V.....	3569 Lindell avenue.
29.....	Nelson, A. M.....	518 North Theresa avenue.
30.....	Worden, Perry J.....	3416 Washington avenue.
31.....	Mollitt, Leslie A.....	3518 Washington avenue.
32.....	Wilson, Christopher.....	3410B Locust street.
33.....	Clouse, Jos. N.....	3406 Washington avenue.
34.....	Dobler, Geo. R.....	3540 Olive street.
35.....	Hirsch, Wm. A.....	3528 Olive street.
36.....	Krueger, Wm.....	317 North Channing avenue.
37.....	Pitman, Chas. A.....	3408 Locust street.
38.....	Wertheimer, J. J.....	3511 Washington.
39.....	McConkey, Jas C.....	3523 Olive street.
40.....	Pearce, Eugene L.....	3523 Olive street.
41.....	Pearce, Stanley D.....	3523 Olive street.
42.....	Williams, N. J.....	521 North Channing avenue.
43.....	Webb, Jas. Avery.....	3523 Olive street.
44.....	Wyman, Harold P.....	3522 Olive street.
45.....	Schrader, Fred.....	3425 Olive street.
46.....	Funkhoser, Robt.....	3534 Olive street.
47.....	Carler, John H.....	3540 Olive street.
48.....	Finkenbinder, John S.....	3534 Washington avenue.
49.....	Switzer, Ralph.....	3541 Lindell avenue.
50.....	Carlander, Gunnar.....	3512 Washington avenue.

Number.	Name.	Address.
51	Withman, Chas. E.	3525 Washington avenue.
52	Borden, Albert	3416 Washington avenue.
53	Jones, Chas. C.	3500 Olive.
54	Deau, Murray F.	3416 Washington avenue.
55	Barton, Wm. R.	3525 Washington avenue.
56	Foreman, H. A.	Grand Avenue Hotel.
57	Campbell, Jas. A.	3438 Lucas avenue.
58	Hodgkins, E. W.	3542 Washington avenue.
59	Cummings, Campbell	3514 Olive street.
60	Doering, Henry L.	3555 Lindell avenue.
61	Swope, Jirard	3530 Olive street.
62	Small, H. R.	3532 Washington avenue.
63	Napton, Chas. M.	3402 Washington.
64	Giblin, Wm. J.	3529 Lindell avenue.
65	Spooner, Lee. C.	3532 Washington avenue.
66	Wooldridge, Baxter	3521 Lindell avenue.
67	Flynn, Wm. B.	2518 Washington avenue.
68	Gapen, Jas. Z.	3527 Lindell avenue.
69	Arnold, Denham	3532 Washington avenue.
70	Wilcox, Leonard	3532 Washington avenue.
71	Simpson, J. H.	3404A Washington avenue.
72	Pitman, Peter B.	3408 Locust.
73	Wiggins, Chas.	3520 Washington avenue.
74	Swift, John F.	3507 Washington avenue.
75	Samuel Aderton	3519 Washington avenue.
76	Keiser, Robt. H.	3501 Washington avenue.
77	King, J. E.	3412 Lucas avenue.
78	Miller, Chas. C.	3412A Locust street.
79	Styles, Ed. J.	3531 Olive street.
80	Zahn, Justis	3518 Olive.
81	Haussig, Jas.	Grand Avenue Hotel.
82	Samuel, Webster M.	3407 Washington avenue.
83	Towers, Jas. E.	3541 Washington avenue.
84	Matlack, Edw. V.	3544 Washington avenue.
85	Craig, Jno. McH.	3408 Washington avenue.
86	Jones, L. E.	3404A Washington avenue.
87	Mays, Robt. M.	3512 Washington avenue.
88	Forster, E. Otto	3429 Washington avenue.
89	Large, Thos.	3528 Olive.
90	Studder, Chas., jr.	3524 Washington avenue.
91	Curry, Danl.	3526 Olive.
92	Lehan, Jno.	521 North Channing avenue.
93	Sinclair, Edw.	3416 Lucas avenue.
94	Hogan, Jno.	3539 Lindell avenue.
95	Donn, Geo. P.	3523 Washington avenue.
96	Parsons, Fredk. R.	508 North Grand avenue.
97	Brink, Wilbur F.	504 West End place.
98	Bull, Wm.	Grand Avenue Hotel.
99	Walsh, Edw. W.	315 North Channing avenue.
100	Stone, Horace	3559 Lindell avenue.
101	Lederer, Samuel M.	3412 Washington avenue.
102	Marshall, Edw. N.	3503 Lindell avenue.
103	Evosk, Paul	3402 Olive.
104	Smyth, Michael	3561 Lindell avenue.
105	Hart, H. L.	503 North Theresa avenue.
106	Jonas, Michael B.	Grand Avenue Hotel.
107	Webb, Wm.	3523 Olive street.
108	Weber, Peter	3512 Olive street.
109	Cullin, Wm.	3423 Lindell avenue.
110	Webber, Frank E.	3512 Olive street.
111	Morfit, Jno. C.	3533 Olive street.
112	Comstock, T. G.	3401 Washington avenue.
113	Vanderlike, Anthony	3421 Olive.
114	Blythe, J. H.	512 North Theresa avenue.
115	Webber, Geo. E.	3439 Olive.
116	Stockton, Robt. H.	3508 Lucas avenue.
117	Johnson, Freeman T.	3410 Locust street.
118	Green, Christopher C.	3418 Washington avenue.
119	Waller, E. M.	3413 Olive.
120	Weiss, Otto K.	520 North Theresa avenue.
121	Walton, Edw. A.	3415 Olive street.
122	Head, Evart J.	3512 Washington avenue.
123	Barada, Louis S.	504 West End place.
124	Shay, Patrick	3423 Lindell avenue.
125	McDonald, Jno.	3423 Lindell avenue.
126	Smith, Wm.	3423 Lindell avenue.
127	Skinner, L. S.	3412B Locust.
128	Brennick, Jos. R.	3509 Lindell avenue.
129	Funkhouser, Robt. M.	3534 Olive street.
130	Small, Jno. C.	3408 Washington avenue.
131	Webb, D. Castleman	3523 Olive street.
132	Paschell, Jos.	3529 Lindell avenue.
133	Baker, R. C.	3424 Washington avenue.
134	Lucas, Robt.	3416 Lucas avenue.
135	Pezolt, Harry M.	516 West End place.

Number.	Name.	Address.
136.....	McCallister, C. M.....	512 North Theresa avenue.
137.....	Canton, Robt.....	3505 Lindell avenue.
138.....	Alzheimer, Ben.....	Grand Avenue Hotel.
139.....	Stokes, Chas.....	3441 Olive.
140.....	Dawley, W. H.....	3410 Lucas avenue.
141.....	Droz, Jos. E.....	3502 Olive street.
142.....	Earl, Fredrick.....	3423 Olive street.
143.....	Frazier, J. W.....	3527 Lindell avenue.
144.....	Samuel, Jas.....	3519 Washington avenue.
145.....	Espenshied, Chas.....	3500 Washington avenue.
146.....	Mahler, Jacob.....	3545 Olive.
147.....	Cook, John.....	3524 Washington avenue.
148.....	Etling, E. W.....	3525 Lindell avenue.
149.....	Nichols, Andrew B.....	3540 Olive.
150.....	Madden, John J.....	315 North Channing avenue.
151.....	Harris, Wm. J.....	3514 Lucas avenue.
152.....	Hartnett, Patrick R.....	606 North Grand avenue.
153.....	Wheeler, Thos. B.....	3531 Olive.
154.....	Chaffee, Irving.....	3526 Olive.
155.....	O'Brien, Frank.....	317 North Channing avenue.
156.....	Hermann, Francis.....	516 West End place.
157.....	Switzer, Henry R.....	3541 Lindell avenue.
158.....	Pearson, Wm. E.....	3501 Lindell avenue.
159.....	Hirsch, Marcus H.....	Grand Avenue Hotel.
160.....	Boislinier, Louis C.....	3512 Olive street.
161.....	Hickey, Dennis F.....	305 North Channing.
162.....	Donton, David.....	3432 Olive street.
163.....	Smyth, Edw.....	3561 Lindell avenue.
164.....	Gibbons, Thos. J.....	3523 Lindell avenue.
165.....	Loneragan, Thos. J.....	3553 Lindell avenue.
166.....	Elders, John.....	3406 Olive street.
167.....	Walker, Richard H.....	508 West End place.
168.....	Meer, Frank.....	305 North Channing.
169.....	Frink, Seth.....	3522 Washington avenue.
170.....	Doan, Geo. P., jr.....	3523 Washington avenue.
171.....	Ryan, E. J.....	3433 Olive.
172.....	Fitzpatrick, Chas.....	3423 Lindell avenue.
173.....	Mohrmann, Fred A.....	3437 Olive.
174.....	Cox, Gustavus C. W.....	
175.....	Ebersole, Abraham.....	3414 Lucas avenue.
176.....	McKellop, Wm.....	3531 Olive street.
177.....	Smithers, John H.....	3553½ Olive.
178.....	Hill, Wm. P.....	3551 Olive street.
179.....	Smith, Phillip.....	3435 Olive street.
180.....	Trigg, W. Hall.....	3523 Olive street.
181.....	Raemdoek, Julius F.....	3503 Washington avenue.
182.....	McPeake, Jos. A.....	3507 Lindell avenue.
183.....	McLain, Grant.....	3415 Olive.
184.....	Webber, Wm. J.....	3512 Olive.
185.....	Sachse, W. H.....	3505 Lindell avenue.
186.....	Paddock, Arville.....	Grand Avenue Hotel.
187.....	Kimbrel, Chas. B.....	3503 Lindell.
188.....	Flynn, Michael.....	3501 Lindell avenue.
189.....	Cooney, Mathew G.....	3403 Olive street.
190.....	Grefenkemp, J. J.....	315 North Channing.
191.....	Fremant, Andrew J.....	3401 Washington avenue.
192.....	Norris, Harry M.....	3531 Lindell avenue.
193.....	Lewis, Robt. D.....	3411 Washington street.
194.....	Kennett, Dixon H.....	3512 Washington avenue.
195.....	Abbott, Wm. D.....	317 North Channing.
196.....	Alexander, Arthur P.....	3404A Washington avenue.
197.....	Ware, J. A.....	506 West End place.
198.....	Yerkes, J. T.....	3424 Olive street.
199.....	Humphreys, W. J.....	3507 Olive street.
200.....	Tabler, Roy.....	313 North Channing.
201.....	Botto, Albert.....	3509 Lindell avenue.
202.....	Ware, R. A.....	3522 Olive street.
203.....	Fisher, Robert.....	3423 Washington.
204.....	Wall, Jas. B.....	3555 Olive.
205.....	Talbott, Harry S.....	3524 Olive street.
206.....	Fisher, John, jr.....	3423 Washington avenue.
207.....	Jackson, John L.....	3406 Locust.
208.....	Ogden, J. A.....	512 North Theresa avenue.
209.....	Lindsay, Robt. A.....	3439 Olive street.
210.....	Edwards, Jos. O.....	507 North Channing avenue.
211.....	Fisher, Wm. M.....	507 North Channing.
212.....	Logan, Geo.....	507 North Channing avenue.
213.....	Banks, Isaacs.....	309 North Channing avenue.
214.....	Howard, Chas. A.....	306 North Theresa avenue.
215.....	Godefry, Alexander.....	3504 Olive street.
216.....	Hartung, Edw.....	3511 Lindell avenue.
217.....	McDaniel, Russell.....	309 North Channing.
218.....	Duncan, Wm. H.....	3569 Lindell avenue.
219.....	Browning, Richard.....	3512 Olive street.
220.....	Griffin, Harry.....	3426 Olive street.

Number.	Name.	Address.
221.	Pillsbury, Edw. S.	3544 Washington avenue.
222.	Greenlea, Thos.	307 North Channing avenue.
223.	Farrington, W. S.	307 North Channing.
224.	Bukre, John	507 North Channing.
225.	Williams, Chas.	3504 Washington.
226.	Harrington, Scott H.	514 West End place.
227.	Bish, Robt.	508 West End place.
228.	Frenef, Edw. A.	315 North Channing.

By Mr. CLINE:

Q. Will you examine the certificates of the judges and clerks and state the number of votes received by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term at said precinct?—A. Yes. James J. Butler received 116 votes; George C. R. Wagoner received 108 votes; and Henry H. Artz received 7 votes, according to each certificate.

Q. How many of the judges and clerks signed each of the certificates to which you have just referred?—A. Four judges and two clerks.

Q. Will you now produce the poll books used in precinct No. 12 of the Twenty-third Ward at said election on the 4th day of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last named in each book?—A. We will.

Number.	Name.	Address.
1.	Joseph G. Hynes	3718 Chouteau avenue.
2.	W. T. Dixon	3711 Rutger street.
3.	C. W. Fries	3638 Rutger.
4.	Jos. Koneen	3636 Rutger street.
5.	Jas. E. McConkey	3868 Park avenue.
6.	Wm. Kamp	3719 Rutger.
7.	Frank Kelley	3718 Chouteau avenue.
8.	Monroe Price	3729 Rutger street.
9.	Martin Garner	3835 Chouteau.
10.	John Ross	3730 La Salle street.
11.	Harry Bauchman	3700 Chouteau avenue.
12.	Wm. Harper	3866 Park avenue.
13.	Edw. Vickers	3700 Chouteau avenue.
14.	P. J. Davis	3710 Rutger street.
15.	Pat Ross	3730 La Salle.
16.	H. J. Parks	3923 Folsom avenue.
17.	Patrick Flannigan	3740 La Salle.
18.	Michael Bannon	3737 Hickory.
19.	James Stamps	3729 Chouteau avenue.
20.	Thos. Forbes	3702 Hickory street.
21.	G. A. Peck	3643A Folsom avenue.
22.	Wm. Smith	3707 Rutger.
23.	Julius Herchenroeder	3901 Folsom avenue.
24.	Joe Costello	3901 Folsom avenue.
25.	Arthur Walters	3706 La Salle street.
26.	A. H. Probasco	3678 Rutger street.
27.	James Frost	3734 La Salle street.
28.	Thos. Bannon	3737 Hickory street.
29.	Frank Patterson	3715 Rutger street.
30.	Geo. Young	3855 Chouteau avenue.
31.	Oliver Holmes	3705 Chouteau avenue.
32.	Pat. Ahearn	3705 Rutger street.
33.	Daniel Sweeney	3708 Chouteau.
34.	John Paschall	3734 La Salle street.
35.	P. McMahan	3700 Chouteau avenue.
36.	A. J. Matlock	3705A Chouteau avenue.
37.	Patrick Sweeney	3708 Chouteau avenue.
38.	Frank T. Dixon	3711 Rutger street.
39.	Harry Dillingham	3708 Chouteau avenue.
40.	Wm. Grayson	1115 South Grand avenue.
41.	Chas. A. Von Barke	3927A Folsom avenue.
42.	J. O'Connor	3627 Hickory.
43.	John Ashen	3716 Chouteau avenue.
44.	Gustav Althause	921 South Spring avenue.
45.	Robt. B. Braham	3708 Rutger street.
46.	Daniel J. Riley	1501 South Grand avenue.
47.	Bart Merrello	3601 Chouteau avenue.
48.	Harry Hays	3839 Folsom avenue.
49.	August Muegge	1201 South Grand avenue.
50.	Thos. H. Dietrich	3703 Chouteau.
51.	Joe N. Lanigan	3709 La Salle.
52.	H. C. Pope	3967 Folsom avenue.

Number.	Name.	Address.
53.	Wm. Bannon.	3737 Hickory.
54.	John Coakley.	3733 Chouteau avenue.
55.	John L. Dietrich.	3703 Chouteau avenue.
56.	Mortz Wolfram.	3903 Folsom avenue.
57.	W. C. Owens.	1511 South Vandeventer avenue.
58.	Wm. Brutton.	3741 Hickory.
59.	Paul Luther.	3870 Park avenue.
60.	J. J. Burke.	3740 La Salle street.
61.	Wm. E. Rundle.	3819 Folsom avenue.
62.	S. A. Jenkins.	3663 Folsom avenue.
63.	Albert Bishop.	3955 Folsom.
64.	Fred Krammer.	3712 Chouteau avenue.
65.	Louis Werner.	3741 Chouteau avenue.
66.	James M. Henderson.	3617 Folsom.
67.	Tim. O'Connell.	3714 La Salle.
68.	Geo. Lewis.	3728 Rutger.
69.	James L. Rehban.	3904 Park avenue.
70.	Wm. Duggan.	3672 Rutger.
71.	Michael Anglin.	3639 Hickory.
72.	Bernard Devine.	3717 Chouteau avenue.
73.	J. C. Tomey.	3951 Folsom.
74.	John N. Mulready.	3708 Chouteau.
75.	Thos. Sweeney.	3708 Chouteau.
76.	John Vaughan.	3723½ Chouteau.
77.	John Ryan.	3718 Chouteau.
78.	Wm. Wright.	3859 Folsom.
79.	Geo. Kyle.	3624 Vista.
80.	John Bannon.	3737 Hickory.
81.	Louis Wiedner.	3722 Chouteau.
82.	Wm. F. Ross.	3730 La Salle.
83.	Sam'l. Fultz.	3860 Park.
84.	Walter Simonds.	1508 South Vandeventer.
85.	John Franklin.	3725 Vista.
86.	G. F. Walsh.	800 South Spring.
87.	Patrick Eagau.	3730 La Salle.
88.	Pater Smith.	3733 Chouteau.
89.	J. F. Daugherty.	3923A Folsom.
90.	Joseph Gilmore.	3904 Park avenue.
91.	Wm. Corcoran.	3711 La Salle.
92.	Robt. Malay.	3711 La Salle.
93.	Ambros J. Riley.	1501 South Grand avenue.
94.	James Ross.	3730 La Salle.
95.	Otto E. Leitner.	3633 Hickory.
96.	D. J. Little.	1512A South Vandeventer avenue.
97.	John Herlinger.	3861 Folsom.
98.	Patrick Gilhooly.	3709 Chouteau.
99.	Patrick Gilhooly, jr.	3709 Chouteau.
100.	Zolstin Frey.	3727 La Salle.
101.	Abel W. Lock.	3723 Chouteau.
102.	Wm. Liston.	3724 La Salle.
103.	Ven Nelson.	3715 Vista.
104.	Frank Bowen.	3835 Chouteau.
105.	Barney Lackey.	3965 Folsom.
106.	Charles Hawkins.	3715 Hickory.
107.	John C. Keating.	3733 La Salle street.
108.	John Keating, jr.	3733 La Salle.
109.	Chas. B. Zinn.	3870 Park avenue.
110.	E. A. Wilson.	3870 Park avenue.
111.	Fred W. Dyer.	3929C Folsom.
112.	Jas. Crane.	3631 Hickory.
113.	Bernard S. Bannon.	3737 Hickory.
114.	John Leskowrtz.	3971 Folsom.
115.	W. P. Gaffney.	3915 Folsom.
116.	Thos. Gaffney.	3915 Folsom.
117.	Wm. L. Skinner.	3676 Rutger.
118.	Jonathan Crane.	3857A Folsom.
119.	Nick A. Hearn.	3701 Rutger.
120.	John Gaffney.	3915 Folsom.
121.	John Flannigan.	3728 Hickory.
122.	Simon Throuhill.	3953A Folsom.
123.	Barney Schabus.	3739 Vista.
124.	Wm. Woodland.	800 South Spring avenue.
125.	J. W. Ellegood.	3705 Hickory.
126.	Martin W. Stamps.	3729 Chouteau.
127.	Pat Carney.	3969 Folsom.
128.	Pater Miller.	3963 Folsom.
129.	Frank X. Seiter.	3853 Folsom.
130.	Ed. Slingkman.	3965 Folsom.
131.	Geo. Linfoot.	3959 Folsom.
132.	Wm. Robertson.	3716 Hickory.
133.	W. J. Michaels.	917 South Spring avenue.
134.	Matt Ahearn.	3705 Rutger.
135.	Geo. Scott.	3734 Hickory.
136.	Frank Crane.	3857a Folsom.
137.	A. S. Harris.	3904 Park avenue.

Number.	Name.	Address.
138	C. W. Louman	3913 Folsom.
139	B. H. Hopper	1510a South Vandeventer.
140	Wm. W. Perry	3724 Rutger.
141	Jas. Thomason	3927 Folsom.
142	W. M. Hall	3931 Folsom.
143	Chas. Kalbfouse	3740 La Salle.
144	Oscar Neiman	3611 Folsom.
145	Frank May	3700 Choteau.
146	John Becker	3701 Choteau.
147	Jas. Norton	3700 Choteau.
148	Frank Harris	3711 La Salle.
149	Sam Morton	3701 Choteau.
150	Wade Skidmore	3700 Choteau.
151	Matt Flannigan	3714 Rutger.
152	Robt. Myer	3701 Choteau.
153	Henry Sullens	3950 Folsom.
154	Peter Judd	3843 Choteau.
155	Paul B. Franklinburg	3719 La Salle.
156	Tom O'Neil	3720 La Salle.
157	John Ellis	3701 Hickory.
158	John Lang	3701 Hickory.
159	A. J. McClure	1214 South Tiffany.
160	Edw. Fowler	1321 South Grand.
161	Dan Taylor	3701 Papin.
162	Frank Smith	3700 Choteau.
163	Michael Shannihan	3702 Hickory.
164	John Finan	3741 Hickory.
165	Louis Buck	3959 Folsom.
166	Michael Murphy	3721 La Salle.
167	Henry George	3717 La Salle.
168	Jim White	3717 La Salle.
169	John Riley	3717 La Salle.
170	Mike Finn	3741 Hickory.
171	Ed. Bashon	1216a Tiffany.
172	Wm. Finn	3702 Hickory.
173	Harry Jones	3801 Papin.
174	Will Canty	3949 Folsom.
175	Wm. Spring	3701 Choteau.
176	H. Meador	3701 Choteau.
177	Frank Fusell	3701 Choteau.
178	Dennis Keefe	3701 Choteau.

At the hour of 10.30 p. m. of this 2d day of January, 1903, I adjourn the further taking of testimony in this cause until Saturday, January 3, 1903, at the hour of 9 o'clock a. m.

Pursuant to adjournment I resumed taking of testimony this 3d day of January, 1903, at the hour of 9.25 a. m.

Q. (By Mr. KINSEY:) Will you produce the poll books of the twelfth precinct of the Twenty-third Ward of the city of St. Louis used by you prior to adjournment and continue reading therefrom the numbers, names, and addresses of voters recorded therein?—A. I will.

Number.	Name.	Address.
179	Jno. McNicholas	3701 Chouteau avenue.
180	Wm. Brown	3700 Chouteau avenue.
181	Ed. Bannon	3737 Hickory street.
182	Geo. Quinn	2708 Chouteau avenue.
183	Jno. Rohig	3725 Rutger street.
184	Wm. Rehan	3717 La Salle street.
185	Tom Bashaw	3801 Papin street.
186	Wm. Nelson	3728 La Salle street.
187	Phil Riesenlighter	3719 Chouteau avenue.
188	Ed. Burns	3804 Chouteau avenue.
189	Patrick Murphy	3701 Chouteau avenue.
190	Luke Cunningham	3708 Chouteau avenue.
191	Ed Wall	3720 Chouteau avenue.
192	Ed Moore	3700 Chouteau avenue.
Other book	Fred Johnson	3701 Chouteau avenue.
193	Fred Johnson	3701 Chouteau avenue.
Other book	Jno. Warren	3701 Chouteau avenue.
194	Jno. Warren	3701 Chouteau avenue.
Other book	Joe Williams	3740 La Salle street.
195	Joe Williams	3740 La Salle street.
Other book	Jno. Hanna	1220 South Tiffany street.
196	Jno. Hanna	1220 South Tiffany street.
Other book	T. J. Wallace	3833 Folsom avenue.

Number.	Name.	Address.
197	J. Wallace	3833 Folsom avenue.
Other book	James Dorsey	3672 Rutger street.
198	James Dorsey	3672 Rutger street.
Other book	Harry Schuinaker	3725 Rutger street.
199	Harry Schumacker	3725 Rutger street.
Other book	Jno. Peet	3702 La Salle street.
200	Jno. Peet	3702 La Salle street.
Other book	Ben Downie	3736 La Salle street.
201	Ben Downey	3736 La Salle street.
Other book	Ed. Moore	3700 Chouteau avenue.
202	Joe Evans	3742 Chouteau avenue.
203	Tomas Knox	3733 Hickory street.
Other book	Pat Degnan	3740 La Salle street.
204	Patrick O'Connell	3714 La Salle street.
205	Pat Degnan	3740 La Salle street.
Other book	Thomas Knox	3740 La Salle street.
206	Edw. Mahoney	3725 Hickory street.
207	James Sweeney	3708 Chouteau avenue.
208	James L. Fitzpatrick	3719 La Salle street.
209	W. C. Bosen	3863A Folsom avenue.
210	Geo. King	3730 La Salle street.
211	W. H. Carter	3706 Rutger street.
212	Leonard Wunsch	3965 Folsom avenue.
213	James Kelley	3708 Chouteau avenue.
214	Ralph Warner	3623 Folsom avenue.
215	N. H. Dean	3900 Park avenue.
216	Ollie Hollman	3900 Park avenue.
217	Eugene Althause	921 South Spring avenue.
218	L. A. Jackson	3923 Folsom avenue.
219	Leo Wunsch	3959 Folsom avenue.
220	Jno. McCab	3720 La Salle street.
221	Al. Frei	3722 Rutger street.
222	Martin Sack	3703 Rutger street.
223	Tom Hooley	3700 Chouteau avenue.
224	Jacob Portz	3713 La Salle street.
225	H. F. Gaffney	3915 Folsom avenue.
226	M. R. Dimmitt	3839 Folsom avenue.
227	Wm. Althause	921 South Spring avenue.
228	Harry Hays	3740 La Salle street.
229	Geo. Dugan	3702 La Salle street.
230	Hy. Krieger	3713 Chouteau avenue.
231	Harry Regan	3866 Park avenue.
232	Hy. Rickmiller	3965 Folsom avenue.
233	A. Kemper	3961A Folsom avenue.
234	Ed. Bishop	3965 Folsom avenue.
235	Frank Hanick	3865 Folsom avenue.
236	Willis Bishop	3955A Folsom avenue.
237	Saml. Jefferson	3723 Vista avenue.
238	Sher Lee	3625 Folsom avenue.
239	Wm. Scoot	3734 Hickory street.
240	Martin Flannigan	3749 La Salle street.
241	C. Hand	3837 Folsom avenue.
242	Jacob Roth	3969 Folsom avenue.
243	James Woodis	3839A Folsom avenue.
244	J. W. Carr	3925 Folsom avenue.
245	James Listan	3700 Chouteau avenue.
246	Maurice Tobin	3723 La Salle street.
247	Jno. J. Dietrich	3703 Chouteau avenue.

By Mr. CLINE:

Q. Please turn to the certificate of the judges and clerks on said poll books and state the number of votes received by each Congressional candidate for the short term in said precinct.—A. James J. Butler received 287 votes; George C. R. Wagoner received 53 votes; Henry H. Artz received 2 votes.

Q. How many judges and clerks sign this certificate?—A. Four judges and two clerks sign each certificate.

Contestant's Exhibit No. 10, of February 4, 1903—A. R. Russell, notary public.

George C. R. Wagoner, contestant, v. James J. Butler, contestee.

Depositions of witnesses produced, sworn, and examined on the 26th day of December, A. D. 1902, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, at No. 302 to 303 Oriel Building, in the city of St. Louis and State of Missouri, before me, Charles H. Tolles, a notary public within

and for the city of St. Louis, in the State of Missouri, in the election contest for Congressman of the Twelfth Congressional district now pending in the Fifty-seventh Congress of the United States, wherein George C. R. Wagoner is contestant and James J. Butler is contestee, on the part of the contestant.

Mr. Eugene McQuillin appearing for contestant and Mr. Henry M. Walsh appearing for contestee.

WILLIAM S. COLLIER (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLIN:

Q. Where do you live?—A. 2207 Morgan.

Q. Where were you on election day last fall?—A. 3703 Chouteau avenue.

Q. What ward and precinct?—A. Twenty-third Ward and twelfth precinct.

Q. What time did you get to this place?—A. About five minutes of 6 o'clock.

Q. In the morning?—A. Yes, sir; in the morning.

Q. Of election day?—A. Of election day.

Q. November 4, 1902?—A. Yes, sir.

Q. How long did you remain there?—A. I remained from that time until about half past 2 or near 3; along about that time.

Q. Continuously at this place?—A. Continuously; didn't leave at all.

Q. How near were you to the polling place?—A. About a hundred feet, if not more.

Q. Well, what did you see there on that day?—A. Well, I seen continually the same men, three or four, going in and out of the polls during that time all day long.

Q. Did they come there in gangs?—A. Yes; yes, sir.

Q. Did you see many gangs of men standing about the polling place, or near the polling place?—A. Well, I seen, as I said before, from three to four standing there all day long; evidently they was there for some ill purpose; I don't know.

Mr. WALSH. We will object to this form of questioning as suggesting the answers to the witness.

Mr. McQUILLIN. Did you see any policemen about there?

A. Yes, I seen two policemen there together, you know until one perhaps would go away to get his dinner or lunch, or something like that; then there would be only one.

Q. Well, what did you see these policemen do, if anything, about there?—A. Nothing at all, but simply standing there on the corner; that is all.

Q. Would they go in and out the polling place?—A. Yes; in and out the polling place?

Q. Were there any saloons there in that neighborhood?—A. Two; one on the northwest corner and one on the southwest corner.

Q. Were these saloons open and in full blast?—A. They was.

Mr. WALSH. We will object to that as being immaterial; that has nothing to do with this contest.

Mr. McQUILLIN. Did you see the policemen go in and out of the saloons?

Mr. WALSH. We make the same objection.

A. I didn't see the policemen go in and out of the saloons.

Q. What?—A. I didn't see them go in and out of the saloons.

Mr. McQUILLIN. Did you see these gangs of men in and about the polling place and on the outside go in and out of the saloons?

A. I seen them go in and out of the saloons, yes.

Q. Well, did you see any disturbance of any kind?—A. Only one. I seen one disturbance with a precinct committeeman and one of the saloon owners, I learned. I didn't know what about, but they evidently was having some kind of a scrap; they had some words off and on, and then I seen this saloon man make one or two or three jumps at him—this precinct committeeman—and then I seen a policeman come up and quiet it and take the men off; sent the saloon man one way and he took the precinct committeeman another way.

Q. Who was the precinct committeeman, do you know?—A. I don't know his name; I forget it; I heard it.

Q. Democrat or Republican?—A. Republican, I think, from what I learned; he was a stranger to me.

Q. You understood that he was a Republican?—A. I did; yes.

Mr. WALSH. We will object to all this hearsay testimony about somebody that this witness doesn't know.

Mr. McQUILLIN. You saw the disturbance?

A. I seen that; yes. Of course I didn't know what caused it or anything of the kind; I just seen it.

Q. You say here you were arrested about half past 2 or 3 o'clock?—A. Yes; somewhere along there.

Q. By whom?—A. By the policeman there on the beat. I suppose he was appointed that day; whether he was on that beat regularly I don't know.

Q. What were you doing when you were arrested?—A. Nothing at all.

Q. Quarreling with anyone?—A. No, sir.

Q. Having words of any kind with anyone?—A. No, sir; with no one at all.

Q. About how far were you from the polling place when you were arrested?—A. A hundred feet, if not more.

Q. Well, at whose instance, if any person's, were you arrested?—A. Well, I was arrested—the cause of my arrest I suppose was—

Q. Well, now, don't say "I suppose," but merely state what you were doing at the time, and if anyone came up and requested the police officer to arrest you?—A. Yes; some gentleman, but I don't know who he was; he jumped out of a buggy and ordered the policeman to arrest that man.

Q. That man?—A. Yes, sir.

Q. Meaning you?—A. Meaning me; yes.

Q. Do you know who this man in the buggy was?—A. I don't know who he was; no sir. It all happened so quick and so sudden that I didn't know anything at all; I was going to be locked up any way as I thought.

Q. The man was in citizen's clothes?—A. Yes, sir.

Q. How long had he been there in the buggy before or after?—A. Well, I had seen him there once or twice; drive up and drive on off again, you know, but I didn't know his business at all, only what I know from hearsay.

Q. He had been up there two or three times in his buggy?—A. During the day.

Q. Prior to your arrest?—A. Yes, sir.

Q. Well, did you observe this man prior to your arrest converse with any of the members of the gang about there or police officers?—A. I seen him speak to several around there when I came up.

Q. He was quite familiar with them?—A. Evidently; yes.

Q. He was very kindly received up there?—A. Seemingly so; yes.

Q. Did you see him once in a while go in the saloon?—A. I didn't notice him going; no, sir. He didn't seem to stay very long.

Q. Well, after you were arrested you were taken to the police station?—A. Yes, sir.

Q. Where?—A. To Wyoming. I think it was, and Magnolia.

Q. Grand and Magnolia?—A. Grand and Magnolia; yes.

Q. Well, did this man in the buggy who ordered your arrest go down to the police station and prefer charges against you?—A. No, sir.

Q. He did not?—A. No, sir.

Q. Did anyone prefer charges against you?—A. Yes; the saloon keeper who kept the saloon on the southwest corner went down and preferred charges.

Q. This saloon keeper in that neighborhood?—A. Yes; that is how I know he has a saloon; I seen him there in the saloon and I asked who he was, and I was told he was a partner of the man who owned the saloon on the southwest corner.

Q. Now, had you talked with this saloon keeper that went down and preferred charges against you prior to your arrest?—A. No, sir.

Q. Had you seen him there?—A. Oh, I had seen him there all day.

Q. Around with the gang?—A. Yes, sir.

Q. He was familiar with the gang?—A. Yes, sir.

Q. Talking with them from time to time?—A. Yes, sir.

Q. Well, what charge did he prefer against you then?—A. Well, he went up and told the captain in charge—he told the captain that I had abused his bar-keeper by calling him all sorts of bad names, of course names that I wouldn't like to use myself because it is very unbecoming for a gentleman; that I had been in his saloon there and called his barkeeper all sorts of names and that I was disturbing his peace and interfering with his business, and all that sort of thing. How could I be disturbing his peace, as I told the captain. I was across the street from the saloon and didn't go in there during the day; in fact, I was afraid to go in because it seemed to me like being in purgatory. I was afraid to go in. I didn't want to go in. I told the captain I was afraid to go in the saloon. I told the captain I was across the street opposite the saloon. The captain said: "I don't see how he could have disturbed your peace, sir," he says, "even if he had been standing on the sidewalk in front of your saloon unless he was obstructing your sidewalk. I don't see how it could disturb your peace," and he said, "I can't lock that man up on such evidence—on such a charge."

Q. Well, did the captain lock you up at all?—A. Not at all; no, sir.

Q. And he let you go?—A. The captain said I could go.

Q. Did anyone else prefer charges down there against you other than this saloon keeper?—A. No, sir; he was the only one.

Q. Well, after your release did you go back to this polling place?—A. No, sir; I didn't, because I felt that I was too lucky to get out as I did, unhurt, so I thought the best way was to go home; so I walked on home.

Q. You didn't like the appearance of things about there?—A. No, sir; I did not; I did not because I am here twenty-seven years and didn't have any trouble, and I was glad they arrested me to lock me up, because maybe I wouldn't ever get home to see my wife again.

Q. Well, didn't you suppose if you had gone to the officers of the law, police officers, these officers in blue coats, that they would protect you as any citizen?—A. I didn't much think so; no, sir; I didn't much think so.

Q. Why didn't you?—A. Because when I told the officer that I was being stoned by a crowd in front of a saloon over there, and I says: "Officer, I think you are the proper man to report this"—

Q. Oh, you were stoned then prior to your arrest?—A. Yes; evidently by a crowd from this saloon; when I could look around, of course, I couldn't tell who it was or what man.

Q. There were stones thrown at you?—A. Yes; but I escaped them all by dodging, you know; then I walked to the polls to tell the officer that these people were disturbing my peace and molesting me, and I says: "I am not bothering anybody."

Q. Those who were throwing stones at you?—A. Yes, sir.

Q. What did he say then?—A. Well, he said, in an off-hand way, that he didn't see it, and what they were doing it for; what was it for, and this, that, and the other.

Q. What?—A. What they were doing it for, and this, that, and the other, and before I could get through this man walked up and got me arrested while I was telling it.

Q. Well, it rather appeared to you that the police were protecting them, I suppose.

Mr. WALSH. We will object to all this supposition on the part of counsel.

Mr. McQUILLIN. How did it appear to you as being there during this stone throwing, and the actions of the police officer, and the gangs in and around there going in and out of the polls, whether you were protected or not protected?

Mr. WALSH. I object to that as leading and calling for a conclusion and no statement of facts.

Mr. McQUILLIN. It looked rather bad, did it not?

A. It did indeed, I am sorry to say, in a city like this.

Q. It looked so bad that with your experience down there and the situation you were afraid to go back?—A. Yes; I felt that I had better stay away.

Q. You felt that you had got no protection whatever from the police?—A. Yes, sir.

Q. That they were there to protect the gang? Well, did you see men going in and out of these two saloons that you say were open from time to time?—A. Yes, sir.

Q. During the whole time that you were there?—A. Yes, sir.

Q. Were the police in a position so they could see these saloons open?—A. They were standing right on the corner.

Q. Did you hear them make any objections?—A. Not at all.

Q. Did you hear them make any objection about it being a violation of the law?—A. No, sir; not until a gentleman, Mr. Odell, I think it was—he is a cheese man down on Second street—he seemed to make some objections after a while, and then they closed the front door until after he had gone.

Q. Did you see any challengers up there representing either party?—A. Well, to tell the truth, I don't know whether there was any challengers or not; there was so many around about the poll, you know, I couldn't tell who was a challenger; I couldn't tell that.

Cross-examination by Mr. WALSH:

Q. You are a colored man, aren't you?—A. Yes, sir.

Q. What is your business?—A. My business?

Q. Yes.—A. Well, I am a book agent at present. I solicit—canvass for books.

Q. What was your business prior to November 4, 1902?—A. November the 4th?

Q. Yes.—A. Well, I was selling books at that time.

Q. How long had you been selling books?—A. Well, I don't know just exactly; somewhere since about the 1st of August; somewhere a long there.

Q. Well, what were you doing before that?—A. Well, I done different things, whatever I could get to do to make an honest living.

Q. Well, name some of the different things?—A. Well, I have railroaded out of this city, and I have been a head bellman in this city, and I have done several other little jobs; I was head bellman at the Laclede Hotel for several years, and hired the bell crew and superintended them.

Q. What else did you do?—A. I railroaded.

Q. Well, what else?—A. Well, I can't just very well tell everything that I done in my lifetime; I have been around St. Louis for twenty-seven years.

Q. Well, have you ever been arrested?—A. Arrested?

Q. Yes.—A. Yes, sir.

Q. What for?—A. Well, I have been arrested several times for—once or twice for—policy.

Q. Well, in what connection?—A. Well, for—I don't know what charge they would put; they would put this on a charge of felony, I suppose.

Q. Well, what charge did they put against you?—A. They put a charge against me of establishing a lottery.

Q. Establishing a lottery?—A. Yes, sir.

Q. A lottery vender?—A. Yes, sir.

Q. That has been your business, has it not?—A. No, sir; it hasn't been my business.

Q. Are you connected with policy games in any way?—A. Not connected; no, sir.

Q. Have you been?—A. Not connected.

Q. Are you a vender?—A. Well, I have been a writer there; yes.

Q. Weren't you appointed as a deputy there to carry money for policy venders?—A. No, sir.

Q. Now, weren't you up in the first district police court, after being arrested by McGraw, I think?—A. No, sir.

Q. Or Johnson; and you had about five or six hundred dollars in your possession at that time that you were carrying to some of the vendors?—A. No, sir; I wasn't carrying it.

Q. How much was it that you had at that time that you were arrested about six months ago, possibly a year?—A. I was arrested, but I don't know what amount of money that I had belonging to some one else at that time.

Q. Well, you remember that you did have quite a large amount of money, and that John Gernez, the attorney here, had to go to some considerable difficulty to secure the money?—A. I remember being arrested on a charge that the money was held for that purpose.

Q. On account of your being the head of a policy institution?—A. Yes; but I wasn't the head of a policy institution.

Q. I say, it is a fact that you were arrested in that connection.—A. Yes; I was arrested; I was arrested.

Q. Have you ever been convicted as a vender of policy?—A. No, sir.

Q. You have been arrested on that charge a number of times, haven't you?—A. Well, once or twice only.

Q. What has been your relation to the policy game?—A. Nothing whatever; only making a living.

Q. Just making a living out of the game?—A. Whatever I was hired to do I did.

Q. You were making a living out of the policy game?—A. No, sir; I wasn't making a living.

Q. What did you do?—A. I was hired and paid to do whatever I was directed to do.

Q. What was that; to sit around?—A. Whatever they directed me to do.

Q. Well, the fellow that was running the policy game hired you to carry the money to vendors of the drawings in the policy game, didn't he?—A. No, sir; he didn't hire me to carry it to them.

Q. Well, you were a kind of a go-between between the policy game and the venders, weren't you?—A. No, sir; I don't think that.

Q. What were you doing at 3703 Chouteau avenue?—A. Well, I was standing there attending to my own affairs, not molesting anybody.

Q. Who hired you to go there?—A. How?

Q. Who hired you to go there?—A. Who hired me to go?

Q. Yes.—A. Why, I was sent there by—I don't know who.

Q. Mr. Aldrich?—A. No, sir.

Q. Wasn't it a red-bearded gentlemen who sent you, or fetched you, from Eleventh and Morgan?—A. No, sir.

Q. Didn't you wear a blue pin with the letter "H" on it that day?—A. I had a pin; I didn't notice the letter at all.

Q. Well, a blue pin about the size of a dime?—A. I didn't notice what the letter was.

Q. It was a little blue pin that you wore inside of your coat?—A. I don't know anything about that, Mr. Walsh.

Q. You don't know that? That pin was furnished you as a protection from getting into trouble, wasn't it?—A. No, sir.

Q. And you were to be bailed out in case you were arrested?—A. No, sir; that didn't protect me.

Q. You were hired to go there to look for trouble, weren't you?—A. Oh, no; I was ordered not to look for trouble; to do anything except to have trouble.

Q. You didn't go on an order of that kind?—A. Sir?

Q. You didn't go on an order of that kind?—A. I wasn't ordered to have trouble, but not to make trouble with anybody; I was told and instructed to live within the bounds of the law and not go beyond the law; that is what I was instructed, Mr. Walsh; and if I had thought that I would ever have any trouble for one moment with anybody I would have left, because I have never had no trouble in this city with anybody, and I don't want any and don't look for it.

Q. What are all those scars across your head? Where did they come from?—A. Well, I don't know; but this scare I have here I had when I was quite young; about twenty years ago I fell and hurt myself there.

Q. What is that on the other side?—A. Well, I don't know any more of them; I don't know of any.

Q. Well, take a good look in the looking-glass and I guess you will find some there. You live at 2207 Morgan street?—A. Yes, sir.

Q. What ward and precinct is that?—A. Twenty-second Ward and first precinct, I think.

Q. You are more familiar with the people who live in that ward than you are familiar with those that live about 3703 Chouteau avenue, are you not?—A. I ought to be; I have been there for about three years.

Q. Have you any acquaintances about 3703 Chouteau avenue?—A. No, sir.

Q. Have you ever lived there?—A. No, sir.

Q. What precinct is that?—A. Twelfth precinct and Twenty-third Ward.

Q. You say you saw three or four men going in and out of that polling place during the day?—A. Going in and out; yes. Of course I didn't know their business.

Q. You don't know that they voted, and don't know who they were, do you?—A. I don't know who they were.

Q. Did you ever see them before?—A. No; not before that day.

Q. Have you ever seen them since?—A. Since; no, sir.

Q. You don't know what the occasion of their visits was at this place?—A. No; I don't know their business at all, because I was too far away to know.

Q. You are not able to state with any degree of accuracy as to how long they stayed in the polling place?—A. No; I don't know just how long they stayed in there, of course.

Q. You don't know whether or not they were candidates, or friends of the candidates for any of the minor offices out there, do you?—A. I don't.

Q. You were hired to go out there and stand around and keep an eye on the polling place?—A. Well, I was told to go out there and see what I could see going on wrong.

Q. Where were you hired from?—A. Well, I—down here on Ninth street the gentleman sent me out there.

Q. Ninth and Pine?—A. Well, not on the corner.

Q. Well, it was between Pine and Chestnut?—A. Yes; I don't know just the number.

Q. About 108, or somewhere along there; about there?—A. Somewhere in there I think.

Q. And the gentleman who put you to work was a gentleman by the name of Aldrich, wasn't it?—A. No, sir; I didn't even learn his name.

Q. He had an even, close-cropped beard?—A. No; I didn't even learn his name, Mr. Walsh.

Q. What did he pay you?—A. He paid me \$4.

Q. For the day's work?—A. Yes, sir.

Q. Did he give you any extra pay to come up here?—A. Sir?

Q. Did he give you any extra pay to come up here?—A. No, sir.

Q. Did you make a statement to him at that time of what you saw?—A. At which time?

Q. At the time you got your money?—A. I told him the circumstances, just why I came away.

Q. Did he require you to sign a statement before he gave you the money?—A. No, he didn't.

Q. Did you get your money before you made any statement to him?—A. Yes, sir.

Q. Who paid you the money?—A. The same gentleman.

Q. The same one that hired you?—A. Yes, sir.

Q. How many men of the same party were out there with you?—A. Well, there wasn't any at the time directly there when I was there.

Q. There was nobody there with you?—A. Oh, you mean to say who was out there with me?

Q. Yes, at 3705 Chouteau avenue?—A. Oh, I will take that back; there was two other gentlemen that was appointed out there, and one of them—in fact both of them—seemed to know the neighborhood so well that they had some excuse to get away. They said, "there seems to be trouble here and I don't want it"—that was one—and he got away pretty early, about 7 o'clock; and he was pretty sensible, too. The other fellow stayed with me until about 12 o'clock, something like that, and he said, "there is trouble here, and I ain't going to stay here and see trouble, I am going to leave;" so he did leave me, and that left me all alone.

Q. There was nothing done to you, was there, besides being arrested?—A. Yes; first they stoned me.

Q. You don't know who threw them?—A. No; I don't know who threw it, but it came down smack at me; but I dodged it, you know.

Q. One stone was thrown?—A. There was two.

Q. You dodged one?—A. I dodged them both; if I hadn't dodged them both I would have been hurt, perhaps.

Q. You don't know whether any other parties interested in the election out there threw those stones or caused them to be thrown?—A. No, sir; I don't.

Q. That was the only evidence of danger that you had during the time you were there?—A. That and the fracas with the precinct committeeman and the saloon man; that is all I saw.

Q. Now, this precinct committeeman; you don't know who he is?—A. I don't know who he is; I don't really know his name, and can't think of it.

Q. You don't know that he was a precinct committeeman out there, do you?—A. Well, that was told me.

Q. When?—A. That day.

Q. Who told you?—A. Some colored fellow that lives out there; and in fact I think the man himself told me that he was precinct committeeman.

Q. He had a difficulty with a saloon man?—A. He and this saloon man evidently was having some trouble, because I seen the saloon man jump at him two or three times.

Q. As to the cause of that, you don't know anything about it?—A. No; I don't. I just simply seen it, and I seen the policeman when he went up and stopped it and separated them.

Q. Now, Collier, you have been around polling places on election day during the twenty-seven years you have lived here quite considerably, haven't you?—A. That was my first time.

Q. Haven't you ever been around polling places at all?—A. No, sir; only to go in and vote and leave, only to go in and vote and leave. I have been in there though every time there was a polling place to vote, but I always voted and left. I was afraid to stay around because it was too dangerous.

Q. That has always been your idea?—A. My idea of it, yes; and I make it convenient if I possibly can to vote first before the bad people get out; and I have always done that, you know. I have lived there a good while, you know, and when you once know a thing you can pretty well always know it; and if I didn't vote early, why usually I wouldn't go back there until the latter part of the day, because I would be afraid, and I didn't want to have any trouble.

Q. During the entire twenty-seven years that you have voted here that has been your practice?—A. Well, I haven't voted here the entire twenty-seven years; no, sir; I haven't voted that long. What I mean to say is that I have been a resident in the Twenty-second Ward during that time, but I haven't voted. I think I voted—no, not that long—but I have been doing that ever since I have been voting.

Q. How old are you?—A. I am 48 years old.

Q. Well, during the time that you have voted then you have always made it your business to go and vote early?—A. As early as I possibly could.

Q. Because you have always been under the impression that it was a dangerous thing to stay around the polls late?—A. Yes, sir.

Q. Did you vote on the 4th of November of this year?—A. I did.

Q. What time did you vote this year?—A. I don't know just what time it was. It must have been between 4 and 5 o'clock.

Q. This time you voted a little bit late?—A. Well, under the circumstances I had to.

Q. Didn't feel that there was any danger about the voting precinct where you were entitled to vote?—A. Well, I felt that I was a little safer, because it was bad weather, raining and all that sort of thing, and there wasn't nobody around at that time, and I supposed the bad weather had kept the crowd away.

Q. Kept the bad element at home?—A. Yes, sir.

Q. So there was no trouble around at that precinct about 4 or 5 o'clock?—A. At the time I voted: no, sir.

WM. S. COLLIER.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires on October 22, 1906.

CHARLES W. SUNSHINE, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLIN:

Q. Where do you reside, Mr. Sunshine?—A. 2324 Rutger.

Q. In this city?—A. In this city.

Q. What is your age?—A. Twenty-four.

Q. Where were you on last election day, November 4, 1902?—A. I was on Fifteenth and Walnut streets.

Q. What ward and precinct?—A. I think it was the second and Fourteenth.

Q. Second precinct and Fourteenth Ward?—A. Yes, sir.

Mr. WALSH. Let him testify, Mr. McQuillin.

Mr. McQUILLIN. That is what he stated. I wanted him to state it so the notary could get it.

Mr. WALSH. You stated it before he got through.

By Mr. McQUILLIN:

Q. How long did you remain at this polling place?—A. Why, from 6 in the morning until about 7 in the evening.

Q. What did you see there?—A. Well, I was there reading a paper about 6 o'clock in the morning, and two policemen came up to me and asked me was I an officer of the law, and I told them no, and they searched me to see whether I had any weapons on me, and I didn't have any, so they walked away.

Q. Two police officers?—A. Yes; they were standing there by the polls, and I was reading a paper where I was.

Q. It was two police officers who had been detailed to act there all that day looking after that polling place?—A. Yes, sir; they were detailed there.

Q. Well, when they came up to search you had you said or done anything to give them cause?—A. I was just looking at the paper.

Q. Just looking at the newspaper?—A. Yes, sir.

Q. Standing on the corner?—A. Yes, sir.

Q. How near to the polling place?—A. Well, about half a block.

Q. About half a block?—A. Yes, sir.

Q. And they of their own volition came up and searched you?—A. Yes, sir.

Q. And asked you if you were an officer of the law?—A. Yes; and I told them I was not. They wanted to see if I had any weapons on me and they searched me, and they found I hadn't, so they walked back.

Q. This occurred at what time?—A. That was about five minutes past 6 a. m.

Q. Immediately after you got there in the morning?—A. Yes, sir.

Q. Well, what else did you see, Mr. Sunshine?—A. Well, about 6.30 there was a young white fellow came out of the polling place and ordered a young man who was standing on the opposite side of the street. He ordered him away from the crowd, and he refused to go, so a negro came up before him or behind him and hit him (this young white fellow), so the police ran after the negro.

Q. The police ran after the negro?—A. Yes; they ran about half a block after him and they didn't catch him, and there was a crowd followed the police back; so far as I could see, that was all.

Q. What?—A. I said there was a crowd followed the police back, and so far as I could see that was all that happened that day.

Q. Were there many people there in the morning while you were there?—A. There were more there in the morning than there were in the afternoon.

Q. Were there any gangs standing around—crowds or flocks?—A. Yes; there were about four or five standing around there.

Q. Stood there all day?—A. Yes, sir.

Q. You saw people going in and out at the polls?—A. Yes, sir.

Q. See the same ones going in and out more than once?—A. Well, that I couldn't say. I was too far away to see if the same ones were going in and out or not, but I saw the parties who were standing there going in and out.

Q. Oh, the parties who were standing there were going in and out of the polling place?—A. Yes; they were all day.

Q. Were they officers?—A. That I don't know; they were in plain clothes.

Q. They were dressed in citizens' clothes?—A. Yes; but who it was I don't know.

Q. You say they were going in and out all day from time to time?—A. Yes, sir; they were going in and out all day, but what their business was I don't know.

Q. You don't know what they did in the polling place because you couldn't get in?—A. No, sir; I wasn't in there.

Q. You merely saw them go in and saw them come out?—A. Yes; and stood around the polling place.

Q. Were there any saloons in the neighborhood?—A. Yes, sir; there was one down on the corner where I was standing that morning.

Q. What?—A. I was standing where there was a saloon that morning.

Q. How far was that from the polling place?—A. About half a block.

Q. Well, that was closed, I suppose; the proprietors duly observing the law?—A. No, sir; it was open.

Q. It was open all day, was it?—A. Yes, sir; it was open all day.

Q. Did you see people going in and out of the saloon?—A. Yes, sir; they were going in and out.

Q. Did you see police officers going in and out of the saloon?—A. Well, there was a grocery on the corner; they went in there.

Q. A grocery store?—A. Yes; a grocery store on the corner; they went in there, but whether they went in the saloon I don't know.

Q. They went in for coffee, I suppose?—A. They went in for a cigar.

Q. Oh, a cigar, probably.

Mr. WALSH. We object to the counsel suggesting to the witness.

Mr. McQUILLIN. Did you see any other disturbance about the polling place?

A. No, sir; that was the only disturbance there was there that day.

Q. Well, did the police officers, or either of them, appear to have imbibed quite freely of the coffee and smoked a good many cigars until evening?—A. No, sir; they went into the grocery store several times.

Mr. WALSH. We will admit that the police officers drank coffee.

Mr. McQUILLIN. Well, along toward evening did it appear that the coffee which the police officers probably had obtained in the grocery store had had some effect upon them?—A. Well, they didn't walk that way; they never showed any signs of it.

Q. The coffee evidently had a good effect?

Mr. WALSH. He has answered that. He said they didn't show any signs of it.

The WITNESS. They may have had it on the inside, but they didn't show any signs of it.

Mr. McQUILLIN. They didn't show any signs of having taken coffee?—A. No, sir; they didn't show any signs of having taken anything.

Q. What is your business?—A. Paper cleaner.

Q. When did you make a report of what took place on election day?—A. I took the report—

Q. When did you make a report of what took place on election day?—A. The next day.

Q. To whom?—A. Why, to one of the parties in the office there.

Q. Have you talked to anybody about that report since?

Mr. WALSH. We will object to this question on the ground that the counsel for contestant is evidently trying to impeach a witness who has been called by himself.

Mr. McQUILLIN. Answer the question.

A. I did not.

Q. Haven't talked to anybody?—A. No, sir.

Q. Haven't seen anybody?—A. Oh, I saw a great many people since the election.

Q. Did they talk with you about this?—A. Who—anyone at all?

Q. Did anyone talk with you about this?—A. About the election?

Q. Yes.—A. Yes, sir.

Q. When was the last time you had a conversation about the election?—A. Yesterday.

Q. With whom?—A. My brother.

Q. Anyone else?—A. No, sir.

Q. What is your brother's name?—A. E. Sunshine.

Q. He lives where?—A. In St. Louis with me.

Q. He lives at 2324 Rutger?—A. Yes, sir.

Q. What is his business?—A. He is an iron worker.

Q. Did you talk to anyone else?—A. No, sir.

Q. Did you tell him what you saw on that day?—A. Yes, sir.

Mr. WALSH. Oh, we will object to that as immaterial and irrelevant, as to what this witness told his brother about something that he saw at some other time, at some place.

Mr. McQUILLIN. Did you tell him what you were going to testify to?

Mr. WALSH. We will object to that for the same reason.

A. No, sir.

Mr. McQUILLIN. Did you ever state that you saw a lot of beer canning that day at this place?—A. Well, I saw beer carried in and out, or there was a bucket carried in and out there.

Q. By whom?—A. By a man about 35 years of age who had on—well, I don't know whether he had a vest on or not, but he had on a white shirt.

Q. Did you ever say to anybody that you saw police officers visit the saloons frequently?—A. I told you that before—that they went into the grocery.

Q. What did they sell there in that grocery?

Mr. WALSH. We object to that, unless this witness knows of his own knowledge what they sold.

A. Well, I don't know: I was in there about 6 o'clock in the morning and got a package of smoking tobacco.

Mr. McQUILLIN. You say there was one saloon in the neighborhood?—A. Yes; next to the grocery store.

Q. They went into the grocery store, and into the saloon?—A. I don't know.

Mr. WALSH. I object, unless the witness knows.

Mr. McQUILLIN. You don't know?—A. No, sir.

Q. Did you ever make a statement that the police officers visited the saloon frequently and left the place drunk?—A. No, sir. The only party that I spoke to about it is my brother, that they went into the grocery store. I didn't say they went into the saloon; and what they done in there I don't know.

Q. Did you make a report of that?—A. No, sir; I didn't.

Cross examination by Mr. WALSH:

Q. Mr. Sunshine, you were hired to go there that day and watch the voting?—A. Yes, sir.

Q. Where were you hired from?—A. A party down on Ninth and Chestnut.

C. W. SUNSHINE.

Subscribed to before me on this 29th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires on the 22d day of October, 1906.

WILLIAM HINES, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeeth and saith:

Direct examination by Mr. McQUILLIN:

Q. Where do you reside?—A. 809 O'Fallon.

Q. Your age?—A. Fifty-seven the 22d of this month.

Q. Where were you on last election day, November 4, 1902?—A. Well, I was down on the corner of Seventh and Wash.

Q. Was there a polling place there?—A. Yes; there was a polling place in the middle of the block between Sixth and Seventh.

Q. 614 Wash?—A. Yes, sir.

Q. What precinct and ward is that, if you know?—A. I couldn't say; I couldn't tell you.

Q. Second precinct. Fourth Ward?—A. Yes; second and Fourth Ward; I know it is the Fourth Ward.

Q. You went there at what time?—A. Well, I got there, I suppose, about twenty minutes after 6.

Q. You remained there how long?—A. Remained there very little after 8.

Q. After 8 o'clock?—A. Yes, sir.

Q. In the morning?—A. I wasn't there, I don't think, two hours.

Q. What did you see during the time you were there?—A. What about—the voting or anything?

Q. Anything, yes.—A. Why, I seen people going in and coming out, but I was too far off to tell what they were doing; I know I seen them going in the polls and coming out.

Q. Were there many people standing about the polling place?—A. Well, sometimes there was and sometimes there wasn't; there was—well, I suppose there wasn't over ten or twelve the biggest crowd that was there standing around. There was a couple of policemen standing in front of it.

Q. Did you see the same men go in and out more than once?—A. Well, I couldn't tell that; I was too far off to recognize countenances.

Q. Too far off?—A. Yes; I was up at the corner of Seventh and the polls was in the middle of the block.

Q. And you couldn't get any nearer?—A. No, sir; I didn't try to get any nearer.

Q. You didn't try to get any nearer?—A. No, sir.

Q. Why didn't you?—A. Because I didn't feel that way inclined, I guess.

Q. Were you afraid?—A. Well, I wasn't afraid; I wasn't afraid of nothing, because I am pretty well acquainted with all them people. I lived at Sixth and Wash for about, oh, about five years, or in the alley between Fifth and Sixth, or Broadway and Sixth.

Q. Did you know all the people in the crowd?—A. Oh, no.

Q. You didn't know whether they were voters or not?—A. No, sir; I did not.

Q. You saw them going in the polling place, nevertheless?—A. I saw some go in and some come out.

Q. Were there any saloons in the neighborhood?—A. Well, of course there is a saloon on the corner of Sixth and Wash, and there is two on the corner of Seventh and Wash.

Q. Well, you were standing near the corner of Seventh and Wash?—A. I was standing right on the corner, sometimes on the west side of Seventh and sometimes on the east.

Q. Were those saloons on the corner of Seventh and Wash open?—A. Seventh and Wash, yes. There was two; there was one "sheeny" and one "dago" saloon.

Q. They were open and in full blast, were they?—A. The doors was open.

Q. Did you see men going in and out of the saloon?—A. Well, now, I never paid any particular attention to that; I know that one saloon of the two, two men went in together; I don't know whether they drank or what they done.

Q. Well, you saw them go in?—A. Yes; I saw two of them go in.

Q. Well, now, you saw a policeman up there, or two?—A. They never came up where I was; I seen two of them right in front of the polling place.

Q. They were talking to the crowd about the polling place?—A. Yes, sir.

Q. Well, how did it happen that you left there about 8 o'clock?—A. Well, there was a man that was hired where I was hired to go down there; and there was a big fellow, I don't know what his name was; it seems that he had been told to get away from there, and I was talking with him at the corner of Seventh and Wash, and a man came up—a pretty big young man; I suppose he would weigh about 180—he came up and he says, "I thought I told you to leave here before;" and this fellow went to say something or other and he says, "Now, go along," and he kind of gave me a little shove on the back with his fingers, this way, and he says, "You go, too." He says, "I am an officer of the law." Well, I went. That is all I know about it.

Q. You were afraid to stay there any longer?—A. Well, I don't know as I was afraid.

Q. Well, why did you go, then?—A. When the man told me to go, that he was an officer of the law, that was sufficient for me to go.

Q. Why, you were not doing anything?—A. Not doing a thing, only talking to this man.

Q. You were not violating the law?—A. Not violating the law.

Q. You were over a hundred feet from the polling place?—Yes; I was over a hundred feet.

Q. And he came along and told you he was an officer of the law, and you got away?—A. He told this fellow—

Q. Just put his finger on your back and you went away?—A. Yes; just put his finger on my back and said, "You go, too."

Q. You saw the weight of it and skipped?—A. I didn't see any other way.

Q. You got scared, did you?—A. I didn't want to get run in for nothing; I am a man of family.

A. You were doing nothing?—A. Well, the officer of the law would run me in if I didn't go.

Q. Did he have any uniform on?—A. No, sir; he did not.

Q. Did he show you a star?—A. No, sir.

Q. Did he show you any evidence of the fact that he was an officer?—A. No, sir.

Q. Simply made a pretense?—A. He says, "I am an officer of the law."

Q. Did you know who the man was?—A. No, sir.

Q. Had you ever seen him before?—A. His face is familiar to me.

Q. He told you he was an officer of the law?—A. Yes, sir.

Q. You took it for granted that he was, and that you didn't want to get run in for nothing?—A. I didn't think the man would tell me a lie for nothing.

Q. Not even on election day?—A. Sir?

Q. Wouldn't tell you a lie even on election day?

Mr. WALSH. Well, we will object to the insinuation of counsel.

Mr. McQUILLIN. Well, why didn't you go back to the polling place after that?—A. Why, I thought I had enough right there on the street.

Q. You were not hurt?—A. I wasn't hurt; but I didn't go back to get hurt.

Q. You were afraid you would get hurt if you would go back?—A. Well, I was a little inclined that way.

Q. Well, that is it, so that all the reason you went away was you were afraid that you might get hurt?—A. No; it wasn't that at all when I went away, but I thought that if I didn't stay away I would either get run in or get thumped.

Q. Well, why should you suppose that you would get run in or get thumped in a law-abiding community when you had come there and had done nothing to violate the law and remained away a hundred feet from the polls, why did you suppose that you would get hurt? What reason had you to believe that?—A. What reason? I don't know, but that is what I felt like.

Q. You knew the neighborhood, did you?—A. I did. I was raised around that neighborhood and lived right there for years and am living now and have been for about four years, I guess, that is pretty nigh in the neighborhood; it is only a block to Eighth and O'Fallon.

Q. Did you see any challengers for either party up there?—A. I tell you I was too far off to see anything.

Q. You didn't want to take chances?—A. Well, I didn't care about taking chances.

Q. You had a sort of a notion that things were not just right?

Mr. WALSH. Well, now, we will object to that.

Mr. McQUILLIN. You thought things were not just right at the polls?

A. How do you mean?

Q. You thought it wouldn't do for you to remain for fear you would get hurt?—

A. Certainly I did; that is exactly what I thought.

Q. That they proposed to do as they pleased up there?

Mr. WALSH. Well, now, we will object to this suggestion on the part of counsel.

Mr. McQUILLIN. Didn't you think that?

A. That they would do as they pleased?

Q. Yes; the gang around there, the police officers and those that seemed to be in control at that polling place would do as they pleased, and if you were there to observe what they did you might be in danger.—A. Well, I don't know. I didn't know what they would do, but I kind of thought if I stayed after I was told to go away why I might get slugged.

Q. Might get soaked?—A. Slugged.

Q. Oh, slugged?—A. Soaked or thumped or whatever you call it.

Q. Well, why did you suppose that you would get soaked or slugged if you were attending to your business and not violating the law in any way?—A. Well, just for the name; because I was hired to be a spotter there, that was all.

Q. How would they or anyone know that you were hired to be a spotter?—A. Well, there was each one had a little button on here.

Q. Oh, yes; you had a button on.—A. A green button; yes.

Q. Oh, yes; and the Indians and the thugs and the gang and the police that were up there to run things didn't like that, and you knew they didn't like it, and therefore in safety to yourself you got away when you were told to get away.

Mr. WALSH. Now, we object to the outrageous insinuations of the counsel for contestant, which are not borne out by any statement of any fact made by this witness, and which are made for the sole purpose of suggesting answers by this witness, and which has not been borne out by any statement by any witness who has been present this morning.

A. Well, I will tell you what I was hired to go there for. A man hired me to go there and observe whether there was any repeating going on, no matter whether it was a Republican or Democrat, and if I could find out their names to report them to him. That is what I was hired to go there for, and I started to go. I went there and I couldn't get close enough to tell who went in and who went out—that is, by recognizing them at all, recognizing their countenance.

Mr. McQUILLIN. And then you felt that you were not doing as it was desired that you should do there at the polls, namely, to ascertain whether or not there were repeaters, and when this man, representing himself to you as an officer of the law, told you to go, you got?—A. Yes; and I seen there was no use of going back.

Q. And you thought it was better in safety to your person to go away?—A. Yes, and stay away; and I went, too.

Q. Things didn't look just right about that time?—A. Well, it wasn't the looks of it, it was my thoughts.

Q. Your thoughts?—A. Yes, sir.

Q. Well, what gave you your thoughts?—A. Why, I just thought if I didn't obey what he said, and if he was truly an officer, he would fire me and maybe give me a beating.

Cross-examination by Mr. WALSH:

Q. You are familiar with the ordinance with reference to standing on street corners?—A. Yes, sir.

Q. You know that when an officer tells you to move on that under the city ordinance you have got to do it or be arrested?—A. Yes, sir.

Q. And usually a charge of idling is placed against a man who stands on a corner when he is told to move on?—A. Well, I know that.

Q. And as a respectable family man you didn't want to be arrested?—A. No, sir.

Q. When you were told to move on?—A. No, sir.

Q. And you felt that having been hired as a spotter you were in a kind of suspicious position that you couldn't very readily explain?—A. Yes, sir.

Q. You were paid \$4 for going there?—A. I was paid \$4; I got it the next day.

Q. Those people who were around the polls—you are sufficiently familiar with elections to know that each party is entitled to watchers and challengers, who usually stand around the polls?—A. Yes, sir.

WM. HINES.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires October 22, 1906.

A. F. GALLEGLY, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLIN:

Q. What is your name?—A. A. F. Gallegly.

Q. What is your first name?—A. Americus.

Q. Where do you reside, Mr. Gallegly?—A. Why, at present at 3026 Lawton avenue.

Q. What is your age, Mr. Gallegly?—A. Twenty-nine.

Q. Where were you on last election day, November 4, 1902?—A. I was out here between Twenty-seventh and Twenty-eighth on Manchester.

Q. The polling place of that precinct is located at 2738 Manchester?—A. Yes, sir.

Q. The tenth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. What time did you arrive there?—A. Somewhere near 6 o'clock in the morning.

Q. Shortly after the polls opened?—A. Yes, sir.

Q. You remained there how long?—A. Until about 10 o'clock, I suppose; in the neighborhood of 10 o'clock.

Q. What occurred then?—A. Well, there was three gentlemen that beckoned me and a fellow that was with me across the street in front of a saloon. We went over to see what they wanted, and one of them stepped up in front of me and he says, "Come in and have a drink." I says, "No; I don't care for anything to-day." Well, he says, "Come in and have a cigar." "No; I don't care to go in to-day." Well, he says, "What are you here for?" Well, I says, "I don't know as that is anything to you what I am here for." Well, he says, "You are a detective, are you?" He says, "What have you got that button on there for?"

And he grabbed the button and snatched it off and threwed it down and grabbed me by the collar and told his two partners to—he says, “Bring that other fellow along”—the fellow that was with me; and they dragged me kind of around the corner to the saloon and struck at me. I guarded the lick off as best I could and he hit me here, glancing like on the nose, and I jerked loose and got away. He told me to go away and stay away, and so I went on away up the street—went west on Laclede.

Q. Well, did you return?—A. Yes; I returned somewhere about 1 or 2 o'clock; somewhere in the neighborhood of that.

Q. That same afternoon?—A. Yes; the same afternoon that I went in the morning, and there was another party that told me to go away and stay away.

Q. Another party in the afternoon told you?—A. Yes, sir.

Q. Well, who was he?—A. Well, I don't know; I didn't learn any of their names.

Q. What kind of a looking man was he?—A. Well, it was a young man, somewhere, I suppose, about 25 years old.

Q. A large man, was he?—A. A medium-sized man.

Q. Well, when he told you to go away did he do it in a threatening manner?—A. Well, yes; he told me to go on away and stay away, that I had no business there.

Q. That you had no business there?—A. Yes, sir.

Q. Well, you were a hundred feet away from the polls, were you?—A. Well, in the neighborhood of a hundred feet; something like that.

Q. Well, did you see any police officers there?—A. Yes; I saw two around there the most of the time I was there.

Q. That is, during both visits you paid to the polls you saw them?—A. Well, I don't know as I noticed them the last time, but the first time they was there—in the morning, in charge of the polling place.

Q. How many, two?—A. Well, I noticed two there most of the time.

Q. Well, now, when this disturbance occurred in the morning about 10 o'clock, when this man assaulted you and drove you away, did you see any police about?—A. Why, they were in the polling place at this time.

Q. They didn't see this?—A. Well, I don't know; of course there was a glass front there, if they wanted to look out. I don't know whether they saw it or not.

Q. You didn't happen to see a policeman at this particular time?—A. No, sir.

Q. Well, did you see any saloons?—A. Well, there was one right there at the point of the junction of Laclede and Manchester.

Q. Well, was that open and in full blast?—A. Why, the doors were closed, but there were parties passed in the door, some during the time I was there.

Q. Well, did you see any challengers there?—A. Well, not that I would know. I wasn't acquainted with any of the parties and I don't know whether they were challengers or not.

Q. Well, did you see gangs or crowds of men up there?—A. Well, there was at times small gangs standing out talking.

Q. You saw people going in and out of the polling place?—A. Yes; this gentleman that hit me went in frequently, in and out.

Q. Of the polling place?—A. Yes, sir.

Q. Do you know whether he was a judge, or clerk, or challenger for either party?—A. Well, if he—no; I don't.

Q. You don't know?—A. But if he was a judge or clerk, why he wasn't attending to his business very closely. I should judge.

Q. But, at any rate, this man that struck you or assaulted you, you saw this same man go in and out of the polling place several times?—A. He went away and left there entirely two or three times.

Q. He was mingling with the crowd of men standing on the outside?—A. Yes, sir.

Q. Holding conversations with them?—A. Yes, sir.

Q. Did you see him hand them any slips?—A. Well, I don't know as I did; I don't know as I saw that.

Q. You don't remember that?—A. No, sir.

Q. Well, now, did you see some of those same men that he spoke to from time to time go in and out of the polling place?—A. Well, I only saw one young man go in more than once. He was the only one that I seen go in more than one time.

Q. You don't know who he was?—A. I don't know who he was. That was the only young man I saw going in more than one time.

Q. I take it all these men in and about there were strangers to you?—A. Yes, sir.

Q. You didn't know their names and couldn't identify them?—A. No, sir.

Q. Well, were the police quite familiar with the men in and about there?—A. What did you say?

Q. Were the police quite familiar with the men in and about the polling place?—

A. Why, they seemed to be familiar with this gentleman, this fellow——

Q. That assaulted you?—A. Yes, sir.

Q. They were quite friendly with him?—A. Yes, sir.

Q. Well, do you know whether or not they applauded his act in driving you away?—A. No, sir.

Q. You didn't hear any expression of that kind?—A. No, sir.

Mr. WALSH. Didn't hear applause?

Mr. McQUILLIN. Well, now, prior to the time this man assaulted you did you see the police conversing with him?

A. Yes: I saw them.

Q. Prior to the time that they assaulted you?—A. Yes, sir.

Q. Now, after you come back again in the afternoon, after you had been driven away and assaulted, did you see the policemen talking to these same distinguished gentlemen?—A. Do you mean while I was there the second time?

Q. Yes.—A. No: I never saw any police that I remember now when I was there.

Q. Now, this other young man that you say you remember of having gone into the polling place more than once, did you observe whether or not that he was talking to the police?—A. No: I don't remember that; I didn't notice any talking.

Q. Well, did you see this man who assaulted you go in the saloon?—A. Yes, sir.

Q. Did you see this young man who went in the polling place more than once go in the saloon?—A. I don't believe I did; I don't remember it.

Q. Well, you saw several people go in the saloon?—A. Yes: I saw several.

Q. Were you in there yourself?—A. No, sir.

Q. You didn't go in?—A. No, sir.

Q. Well, now, was there quite a crowd, quite a number of people in and about the polling place when you were there?—A. Why, there wasn't a very large crowd: twelve or fifteen was the largest at any time that I noticed, I believe.

Q. Well, now, when you were driven away the second time in the afternoon did you make any effort to go back again?—A. No, sir.

Q. Why not?—A. I didn't think it was necessary to go back: I didn't want to have any trouble.

Q. Oh, you anticipated trouble?—A. Well, I thought I had had enough already.

Q. Well, were you fearful, then, that they would assault you if you would go back again?—A. Certainly.

Q. Well, the police were there. Couldn't you have appealed to them to protect you?

Mr. WALSH. Well, we will object to what this man might have done. Let him state what he did do.

Mr. McQUILLIN. Just answer the question.

A. Well, I suppose they would; I never asked them to: I suppose that is their duty.

Q. You had no doubt that they would fulfill it?—A. Well, no; I didn't have any doubt that they would fulfill it.

Q. But, notwithstanding that, you were fearful to go back again?—A. Yes: I didn't want to go back.

Cross-examination by Mr. WALSH:

Q. What do you do, Mr. Gallegly?—A. I am working for Cook Brothers.

Q. The wagon makers up on Broadway?—A. No, sir; they are grocers at Comp-ton and Lawton.

Q. How long have you been here in town?—A. I came here the 1st of May.

Q. This year?—A. Yes, sir.

Q. You didn't vote at this last election?—A. No, sir.

Q. You were not entitled to vote?—A. No, sir.

Q. How did it happen that you were employed on this work?—A. I saw an "ad" in the paper, and I was out of employment.

Q. You were not doing anything at the time?—A. I didn't know what it was for when I answered the "ad" in the paper.

Q. They hired you to go out here and act as a spotter in the election?—A. A spotter I suppose you would call it.

Q. Or a kind of private detective?—A. Yes, sir.

Q. What was the "ad"; what was the nature of it; how was it worded?—A. Why, "Men wanted," I believe, "four dollars per day." It didn't state what it was for.

Q. And you went down and you were employed?—A. Yes, sir.

Q. And you were assigned to this place?—A. Yes, sir.

Q. You didn't know anybody to speak of out in that district at all?—A. No, sir; I wasn't acquainted at all.

Q. Are you familiar with St. Louis election methods; do you know how they are carried on?—A. No; only from newspapers; that is all.

Q. Well, do you know that there are watchers and challengers that are provided under the law for both parties?—A. I suppose so; yes.

Q. Do you know whether or not that these people that you speak of being around there were watchers and challengers in the interest of both parties?—A. I do not; I don't know what they were there for.

Q. Well, you wore one of those pins with an "H" on it, did you?—A. Yes, sir.

Q. Were you told what that "H" was indicative of; what it was intended to represent?—A. No, sir.

Q. Were you told that that pin would secure you immunity from arrest, or anything of that kind?—A. No, sir; they never told me anything of that kind.

Q. What did they tell you in connection with wearing that pin?—A. They just told me to take that and wear it, and to keep out of trouble by all means.

Q. You were subsequently paid, were you, Mr. Gallegly?—A. What?

Q. You were afterwards paid for your work?—A. Yes, sir.

Q. Where were you paid?—A. I was paid down on Ninth somewhere, I believe, between Pine and Chestnut; somewhere along there.

Q. About 108; somewhere along there?—A. Somewhere along there; I forget the number now.

Q. On the west or on the east side of the street?—A. On the west side of the street.

Q. Next to the alley?—A. Yes, somewhere near the alley; it was somewhere near the middle of the block, I know.

Q. Well, do you know where that coffee concern is—was it along there, about the corner of the alley?—A. It was on the second floor.

Q. Oh, it was upstairs on the second floor?—A. Yes, sir.

Q. Was it near Pine street or toward Chestnut street?—A. It was on the north side of the alley, I think.

Q. The north side of the alley?—A. I think it was, as near as I remember.

Q. Did it seem to be an office building or a rooming house?—A. Why, it was an office building.

Q. Do you know the name of the party who hired you—did you hear his name spoken?—A. Well, I did; but I couldn't tell you now.

Q. Was it Mr. Aldrich?—A. That name sounds familiar.

Q. A gentleman with a close-cropped reddish beard, and told you he was an ex-detective, or ex-police officer, or ex-something?—A. No, sir; he never told me nothing.

Q. What were you told to do when you went up there?—A. I was told to watch and see if there was any—if there was any disobedience of the law out there. If the law was violated by anyone, you know, and things carried on that shouldn't be.

Q. You didn't know anything about the election laws yourself—you were not instructed as to what the election laws were?—A. No, sir; I wasn't instructed on the laws.

Q. You didn't know anything about the St. Louis election laws, did you?—A. No, sir; not at first.

Q. Where did you come from prior to coming here?—A. I was raised in Illinois.

Q. All you know is about the laws in Illinois?—A. Yes, sir.

Q. Did you live in a town there?—A. Why, I was raised partly in a small town.

Q. What is the name of that place?—A. Why, Anna, Ill.

Q. Do you know how many men were employed besides yourself in this duty on election day?—A. No, sir.

A. F. GALLEGLY.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires October 22, 1906.

KENNETT K. McALPINE, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLEN:

Q. Where do you reside, Mr. McAlpine?—A. 3433 St. Vincent avenue.

Q. In this city?—A. In this city.

Q. What is your age?—A. Twenty-two.

Q. Where were you on last election day, November 4, 1902?—A. Twenty-second and Clark.

Q. That is the fifth precinct, Fourteenth Ward?—A. Yes, sir.

Q. The polling place is at 2143 Clark avenue, is it?—A. Yes.

Q. When did you get there?—A. At 6 o'clock in the morning.

Q. How long did you remain?—A. Remained until about 1 or half past 1.

Q. Why didn't you stay all day?—A. They drove us off.

Q. You say "drove us?"—A. Yes, sir.

Q. Somebody with you?—A. There was two men with me; yes.

Q. Oh, yes; in the same business?—A. Same business, yes.

Q. Well, now, just explain how they drove you off, and tell who they were, if you can.—A. I can't tell who they were.

Q. Well, describe them?—A. Some men came up and they hit my partner and knocked him down.

Q. Well, give his name; who was he?—A. His name was Morrison.

Q. A. B. Morrison?—A. I don't know his initials; I know his name was Morrison.

Q. You were together and they hit your partner and knocked him down?—A. And told us to go, and we went.

Q. Well, were these officers of the law?—A. No, sir.

Q. Men in citizens' clothes?—A. Yes, sir.

Q. Nicely dressed, were they?—A. Yes; they were pretty nicely dressed.

Q. Their manner was very mild and gentle toward you?—A. No; it was not.

Q. Rather severe?—A. Severe, yes; severe to my partner.

Q. How far were you and Mr. Morrison away from the polling place when this occurred, do you think?—A. We were over a hundred feet, I know.

Q. Over a hundred feet?—A. Yes, sir.

Q. Well, had you seen these gentlemen who made the assault on you about there prior to the time of the assault?—A. No, sir; I never had.

Q. You don't know where they came from?—A. I don't know where they came from.

Q. In what direction did they come toward you?—A. I don't know where they came from. I saw them on the corner.

Q. Well, now, prior to the assault from 6 o'clock on to the time you were driven away, what did you see that occurred in and about the polling place?—A. Why, there was nothing unusual.

Q. Nothing unusual?—A. Nothing unusual; no, sir; no crowd, nor nothing like that.

Q. You saw men going in and out of the polling place?—A. Yes, sir.

Q. See any police officers there?—A. Yes, two.

Q. Two?—A. Yes, sir.

Q. They were going in and out of the polling place?—A. No; I saw them—one was standing in and the other was standing outside of the polling place.

Q. Most of the time that you were there?—A. Most of the time.

Q. Well, when they told you to go away and drove you away, did you go back any more that day?—A. No; I did not.

Q. Why didn't you?—A. Because I didn't. I saw what my partner got and I thought probably I would get the same, so I didn't go.

Q. Well, when these men assaulted you did you appeal to the police for protection?—A. I did not; no.

Q. You did not?—A. No, sir.

Q. Well, why didn't you?—A. I didn't have time; they told us to go, and I went; that was all there was to it; I didn't look for any policeman, or anything else; there was a gang of them there at the time.

Q. How many in the gang?—A. Oh, twenty or thirty.

Q. Twenty or thirty in the gang?—A. Twenty or thirty; yes.

Q. Did they know who you were?—A. Not that I know of.

Q. They didn't talk to you prior to the assault?—A. No, sir.

Q. Did anyone else talk to you prior to the assault?—A. Only my partners; that was all.

Q. You had just merely spoken to those who were with you?—A. Yes, sir.

Q. Did you mingle with the people who were about the polling place and have any conversation with them?—A. There was nobody standing around the polling place, nobody at all.

Q. Well, do you know whether or not Mr. Morrison, who was assaulted, went back?—A. He said he was going back; I don't know whether he did or not.

Q. Didn't you think, Mr. McAlpine, if you had gone back and appealed to the police for protection that they would have protected you, and you could have remained as long as you didn't violate the law and remained a hundred feet away from the polls?—A. I couldn't say; I expect they would.

Q. You don't know?—A. I don't know; no; I couldn't say.

Q. At any rate you were afraid to go back?—A. Well—

Q. Thought it was safer not to go back?—A. Well, I leave that to you.

Q. Well, I am not the witness, Mr. McAlpine?—A. Well, I couldn't say why it was.

Q. I am not the witness. You will have to state why you didn't go back; you say you were driven away and the gentleman who was with you was assaulted.—A. I stated that before; I didn't think it was safe to go back.

Cross-examination by Mr. WALSH:

Q. When you said "I will leave that to you" you meant the counsel, or the gentleman who has just been addressing you?—A. Yes, sir.

Q. Who were you employed by?—A. I am not a working man; I don't work.

Q. I say who were you employed by at that time?—A. I didn't know the man's name.

Q. Where were you employed?—A. Down here on Ninth street.

Q. Ninth and Chestnut, or between Chestnut and Pine?—A. Some place there; I couldn't say just where.

Q. Do you know who it was that employed you?—A. I do not.

Q. Do you know in whose interest you were employed?—A. I do not.

Q. Do you know whether it was a Republican or a Democrat?—A. I don't know.

Q. You say you don't work. You live at home, do you?—A. No, sir; I am a stranger here.

Q. About how long have you lived in St. Louis?—A. About a year.

Q. About a year?—A. A little over.

Q. Haven't been in the habit of working during that time?—A. No, sir.

Q. Haven't done any work at all?—A. Yes; I worked some.

Q. What was the nature of your occupation?—A. I worked for Liggett & Meyers when I worked.

Q. As salesman?—A. No, sir; in the box factory.

Q. Outside of that you haven't done anything during the year?—A. No, sir; I didn't get work at all.

Q. Well, did you see the individual who employed you, or hired you?—A. I did; yes.

Q. Do you know what his name was?—A. I do not.

Q. Do you know whether it was Mr. Aldrich, or not?—A. I couldn't say; I don't know.

Q. What kind of a looking man was he?—A. He was a man with a red beard—a very light beard; well-built man.

Q. Do you know whether his name was McCarthy or not?—A. I do not.

Q. Was he a man who exhibited a large quantity of jewelry and a quantity of diamonds?—A. I believe he did have several diamonds.

Q. Quite a lot of diamonds?—A. Yes, sir.

Q. About how old a man would you judge him to be?—A. Oh, I couldn't say, exactly; about 35 or 40; somewhere around there.

Q. You saw absolutely nothing irregular there at that polling place?—A. No, sir.

Q. Well, this man, was he a man whose eyes were strikingly blue, so that you would notice them?—A. I don't remember about the color of his eyes.

K. K. McALPINE.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires October 22, 1906.

JAMES FORRESTALL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLIN:

Q. Your name is James Forristall?—A. James Forristall; yes, sir.

Q. You reside where?—A. 6190 Bartmer avenue.

Q. In this city?—A. No, sir; in the county.

Q. Where were you on last election day, November 4, 1902?—A. At Nineteenth and Market.

Q. Do you know where the polling place is located in that neighborhood?—A. Why, it was right on the corner of Twentieth street, I believe it was.

Q. No. 8 Twenty-first street?—A. I believe so.

Q. That is the fourth precinct of the Fourteenth Ward?—A. Yes, sir.

Q. What time did you arrive there that morning?—A. About a quarter past 6; about that time.

Q. You remained how long?—A. From that time until about a quarter past 6 in the evening.

Q. Until about a quarter past 6 in the evening?—A. I believe that was the time left there, except two hours off: I was off one hour for dinner and one off on business.

Q. What hour were you off for dinner?—A. Well, it was about ten minutes past 12, I guess, when I left there.

Q. You returned again about ten minutes past 1?—A. About that time, yes; I couldn't exactly say.

Q. Then when you were off in the afternoon on business, what hour was that?—A. That was, I guess, about half past 2 o'clock.

Q. You left about half past 2.—A. Yes, sir.

Q. And returned about half past 3?—A. Yes, to the best of my knowledge, you know: I don't know as I can give you the exact time.

Q. Were there any saloons in the neighborhood?—A. Yes, sir.

Q. How many did you observe?—A. Well, there was one on the corner by the polling place.

Q. How far from the polling place?—A. I believe that was the same building; it looked to me like the saloon was on the corner, and a few doors over on Twenty-first street was the polling place.

Q. Well, now, what other saloons were there?—A. Well, on Market street—all saloons in that neighborhood.

Q. There were several?—A. There was several saloons: all saloons that I seen.

Q. Well, I suppose the saloons were all closed, and it looked like Sunday up there on election day, did it?—A. No, sir; the saloons was open just the same as usual, that I saw, so far as I could see.

Q. Doors wide open?—A. Yes, sir.

Q. People going in and out?—A. Yes, sir.

Mr. WALSH. We will object to all of this testimony as not in any way related to contestant or contestee.

Mr. McQUILLIN. Well, did you observe any policemen around in the neighborhood?

A. Yes, sir.

Q. How many?—A. Two.

Q. What were they doing about there?—A. Well, they were around the polling place; I suppose they were keeping order.

Q. Were they talking to the people who went in and out?—A. I didn't observe that; they may have been.

Q. Did they go over in the saloons, or go in any of the saloons occasionally?—A. I don't know whether the policeman was taking anything or not; I just observed one or two policemen go in there; I don't know whether it was soda or whisky, or what it was.

Q. It may have been coffee?—A. Yes, or milk; I don't know what it was.

Q. That occurred a few times while you were there?—A. Yes, sir.

Q. Did the police ask you to go in and take a drink?—A. No, sir.

Q. Did not?—A. No, sir.

Q. Now, you saw several clots or bunches of men at the polling place, five or six, or two or three or four, conversing?—A. I didn't see any bunch of men.

Q. Well, there were some three or four men?—A. Yes, sir.

Q. You saw several bunches of three or four men?—A. Yes, sir.

Mr. WALSH. We will object to all these suggestions on the part of counsel.

Mr. McQUILLIN. Well, did you see any of those men going in the polling place?

A. Doing what?

Q. Going in the polling place?—A. Yes, sir.

Q. Some of them go in more than once?—A. I couldn't say to that.

Q. Well, you didn't know these men?—A. No, sir.

Q. But these same men or some of them were standing about there practically during the whole time you were there?—A. Some of these men—same men.

Q. Yes; they were standing around there all day, some of the same men?—A. I couldn't be positive of that; I couldn't be positive of that, sir.

Q. Did you see the policemen conversing with any of them?—A. Oh, I see the policemen speaking to the men once in awhile, that is all; I don't know what the conversation was.

Cross-examination by Mr. WALSH:

Q. What is your business; what do you do?—A. Well, sir, I live on my income at the present time.

Q. Who employed you to go there that day, do you know?—A. I couldn't swear who it was.

Q. Where were you employed?—A. Down here about Ninth and Pine or Pine and Chestnut, some place.

Q. You have heard these other witnesses testify?—A. Yes, sir.

Q. It was at the same place that they were hired from?—A. Yes.

Q. Were you furnished with a blue or a green button with the letter "H" on it?—A. Furnished with a green button; yes.

Q. And told to wear it?—A. Yes, sir.

Q. You went in response to an advertisement you saw in the paper?—A. No, sir.

Q. How did you happen to go?—A. Why, I went for Mr. McCarthy.

Q. Mr. McCarthy?—A. I was sent to Mr. McCarthy by another man.

Q. Who was the man that sent you?—A. I couldn't tell you his name.

Q. Was it Mr. Furlong sent you?—A. No, sir.

Q. Do you know Mr. Thomas Furlong, the detective?—A. Yes, sir.

Q. Had you been employed by him?—A. On this occasion I suppose, I don't know for sure; I suppose it was through him I was employed.

Q. Well, you have been employed by Thomas Furlong?—A. Yes, sir.

Q. And what were you paid for this day's work?—A. Four dollars.

Q. You were paid by Mr. McCarthy, the gentleman who hired you?—A. Yes, sir.

Q. What work had you been doing for Mr. Furlong?—A. I haven't worked for him but twice; this time and once before some years ago.

Q. At an election?—A. Yes, sir.

Q. At an election you were employed by Mr. Furlong, were you?—A. Yes, but I don't know who I was employed by—whether by a Democrat or a Republican.

Q. Do you know this time who you were employed by, whether by a Democrat or a Republican?—A. I don't know, sir.

JAMES FORESTALL.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission expires October 22, 1906.

WILLIAM MAY (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUELLIN:

Q. Where do you live, Mr. May?—A. 4580 Maffitt avenue.

Q. This city?—A. Yes, sir.

Q. How old are you?—A. Thirty-seven.

Q. Where were you on last election day, November 4, 1902?—A. Twentieth and Morgan.

Q. Where is the polling place of that precinct located?—A. 2017.

Q. 2017 Morgan street?—A. Yes, sir.

Q. That is the tenth precinct of the Fifteenth Ward?—A. I think so; I don't know.

Q. Well, what time did you get there, Mr. May?—A. A quarter after 6 in the morning.

Q. How long did you remain there?—A. I stayed there until near 7 o'clock in the evening.

Q. In the evening?—A. Yes; I didn't stay there all day, but I was there.

Q. You say you didn't remain there all day?—A. Not all day; no, sir. I went away to dinner. I was away about two hours and a half in the whole day.

Q. What time did you go away?—A. I went away a quarter past 12.

Q. And returned a quarter past 2?—A. I think it was about that time when I returned.

Q. Well, it was nice and quiet up there, was it?—A. It was not. They didn't have any trouble there at all until evening, or afternoon; everything went along all right there; there wasn't any trouble there until I got hurt.

Q. You got hurt?—A. Yes, sir.

Q. Did you fall down?—A. No, sir.

Q. How did you get hurt?—A. I got hit with a gun.

Q. Who hit you?—A. Charley Beef.

Q. Charley Williams; is that his name?—A. I don't know.

Q. They call him Beef?—A. They call him Beef.

Q. A colored man?—A. Yes, sir.

Q. Why did he hit you?—A. I don't know; he just asked me what I was doing there, and he didn't hardly give me time to tell him before he raised his gun up. He put his hand in his pocket and got his gun to hit me, and I told him not to shoot me, and he hit me over the head with the gun, and I turned around and walked off.

Q. Were there any police about there?—A. Yes; there was one came up about 10 feet from where we was.

Q. Did he see it?—A. Yes, sir.

Q. Did you appeal to him for protection?—A. No, sir; I didn't. I just walked off down the street.

Q. Why didn't you appeal to him for protection and ask him to arrest him?—A. I didn't think I had time to.

Q. Do you know who the officer was?—A. No, sir; I didn't know him by name.

Q. Describe him.—A. He is a man, I think, that will weigh about 200, and a man with a reddish mustache; I don't know his name.

Q. How about saloons—were there any in the neighborhood?—A. Yes; there was one on Twentieth street and one on Twenty-first street; there was two.

Q. They were duly observing the law and had their doors closed, I suppose?—A. No, sir; the doors were open.

Q. Oh, they were open?—A. Yes; where I was standing, that saloon the door was open—where I was on the Twentieth street corner, that saloon was open.

Q. Police in and about there?—A. Well, the police were in there once or twice through the day.

Q. Did you hear the policemen—any of them—say that the saloons ought to be closed up on that day?—A. No, sir.

Q. They didn't say a word about it?—A. No, sir; I didn't hear any.

Q. Well, did you see gangs or crowds of men about there all day?—A. No, sir; that polling place wasn't crowded; none all day.

Q. Well, on the outside?—A. No, sir; not on the outside.

Q. Were people gathered about in clots and conversing around on the sidewalk and street?—A. No, sir; there wasn't a crowd around there, not all day.

Q. Well, now, after Beef hit you on the head with the revolver and you went away, did you go back again?—A. I came up Franklin avenue and came over again and he was gone; he went away. When I came back he was gone.

Q. He went away?—A. Yes; he didn't stay there at all.

Q. Well, did you know this Beef?—A. Yes; I know him well when I see him.

Q. How long had you known him?—A. Well, about three years, I think.

Q. Well, why did he strike you?—A. Well, he asked me what I was doing there, and he didn't give me time to tell him, and he hit me and I walked on off. He didn't hit me but once, and I told him not to shoot me, and I walked off then and he didn't follow me.

Cross-examination by Mr. WALSH:

Q. Were you hired to go there that day?—A. Yes, sir.

Q. What were your instructions when you were hired?—A. I was instructed to see that there was no repeaters. That was the only instruction.

Q. You didn't see any repeaters there?—A. No, sir.

Q. You are a colored man?—A. Yes, sir.

Q. You didn't vote there?—A. No, sir.

Q. No offer made to interfere with your voting?—A. No, sir.

Q. Where did this man who struck you strike you?—A. On top of my head.

Q. On top of the head?—A. Yes, sir [indicating].

Q. Have you got a scar there?—A. There is a little scar there yet.

Mr. BUTLER. It is very imperceptible.

Mr. WALSH. Not enough to worry you any?

A. Well, it worried me at that time.

Q. You didn't appeal to the policemen?—A. No, sir.

Q. You didn't see anything irregular at the polling place during the time you were there; you said there was nothing irregular?—A. No, sir; everything went on all right, it seemed, from outside appearances.

Redirect examination by Mr. McQUILLIN:

Q. You were over a hundred feet away from the polls?—A. Yes; I was over a hundred feet. That was about the middle of the block. I suppose—the polling place.

Q. You were on the corner?—A. Yes, sir.

Q. You couldn't see what was going on on the inside?—A. No, sir.

Q. You were too far away to see anything going on on the inside?—A. Yes; I was too far away.

Q. You never did get any nearer than the corner?—A. No, sir; I didn't try to get any nearer.

Q. Well, in order to see repeating you would have to get nearer, wouldn't you?

Mr. WALSH. Well, we will object to that as calling for a conclusion.

A. I suppose so, but I didn't want to get any nearer.

Q. (By Mr. McQUILLIN.) Well, you went there to see repeaters?—A. Yes, sir.

Q. You thought it wasn't safe to get any nearer, did you?—A. Well, I didn't want to go any nearer.

Mr. WALSH. We will object to the suggestion by counsel.

WM. MAY.

Subscribed and sworn to before me on this 27th day of December, 1902, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission will expire October 22, 1906.

FRANK DUBOIS (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. McQUILLIN:

Q. Where do you live, Mr. Dubois?—A. 1407 Pine street.

Q. Where were you on last election day, November 4?—A. 2308 Market street.

Q. In eighth precinct, Fourteenth Ward?—A. Yes, sir.

Q. What time did you go there?—A. Six o'clock.

Q. How long did you remain?—A. Until 7.

Q. Seven in the evening?—A. Yes, sir.

Q. Any saloons in that neighborhood?—A. There was one about two doors from the polling place.

Q. It was duly closed, I suppose?—A. Why, it was open all day.

Q. Oh, it was open all day?—A. Yes, sir.

Q. Were the doors open, people going in and out?—A. Yes, sir.

Mr. WALSH. Well, we will object to all this inquiry along this line, as it is not an effort to discover whether or not the saloon keepers were enforcing the law or that the law was not being observed by them.

Mr. McQUILLIN. Did you see any policemen there?

A. Yes, sir.

Q. How many?—A. Well, there was two and sometimes there would be three.

Q. Sometimes two and sometimes three?—A. Sometimes three; yes.

Q. Well, did you see crowds of men out on the street near the polling place?—A. Well, not only but once that there was much of a crowd.

Q. You saw clots of men of three or four about from time to time on the sidewalk and street near the polling place, didn't you, during the whole day?—A. Well, it was very quiet around there; only once, and that was in the morning; of course, there was men going in and out of the polling place all that time; two and sometimes three.

Q. Well, what occurred when it wasn't so quiet?—A. Well, there was a good many colored fellows came there; just about fifteen or twenty, I guess.

Q. All in a bunch did they come?—A. No; right on the corner of Twenty-second and Market or Twenty-third and Market; they came there and they made a little rush in there among them and took a paper away from one of the fellows that was with us and told him to get off the corner; so we all got back; that was all the trouble we had.

Q. They drove you back?—A. Yes; we got back, and when they left we never had any more trouble.

Q. How long did they remain about there?—A. Well, let's see; about fifteen or twenty minutes.

Q. About fifteen or twenty minutes?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. What is your business?—A. Well, I work on the work train.

Q. You are a colored man?—A. Yes, sir.

Q. What work train do you work on?—A. On the Iron Mountain.

Q. How long have you been here?—A. I have been here about three years or two years and a half.

Q. You lived at 1407 Pine all that time?—A. Not all that time; no, sir. I am living there now.

Q. Where did you come from to this town?—A. De Soto, Mo.

Q. Where were you employed to do this work on this day?—A. 2308 Market street.

Q. That is where you——A. That is where I worked; yes.

Q. Yes; but where were you hired to go to work there?—A. I was hired on—let's see, I think it was on Ninth street, betwixt Market and Pine or Chestnut.

Q. Who hired you?—A. Mr. McCarthy.

Q. What did he tell you you were to do?—A. He told me to look out for repeaters.

Q. So far as you know, there was no repeating done that day?—A. Not that I could swear to. I couldn't get in there.

Q. These colored men that you saw going in at 2308 Market street—you don't know whether or not they were voters, whether they went in to vote or what they did?—A. I couldn't swear to it.

Q. You don't know that they went into the polling place?—A. Yes: some of them went into the polling place.

Q. Some of them?—A. Yes, sir.

Q. Well, how many?—A. Well, I couldn't say. We had to leave the corner, so I couldn't say how many went in there; I know there was some.

Q. What do you mean by "some"?—A. Well, about half of the bunch: that I could see before they drove us away from the corner.

Q. How many were in the bunch?—A. I tell you, as near as I could guess, there was about fifteen or twenty.

Q. So that possibly seven or ten went in to vote?—A. I couldn't say just exactly.

Q. You say about half the bunch?—A. Yes, sir.

Q. Well, seven?—A. That many that I could see: of course, after we had to go back we couldn't see anything.

Q. Where are you entitled to vote?—A. Well, I wasn't entitled to vote anywhere; I never registered this year at all.

Q. You didn't register this year?—A. No, sir.

Q. And didn't vote?—A. Didn't vote; no, sir.

Q. Are you a Republican or a Democrat?—A. I am a Republican.

Q. How old are you?—A. Twenty-eight.

Q. But you didn't vote?—A. No, sir; I didn't vote this election.

Q. Did you know any of these colored men that were in this party?—A. No, sir; I didn't.

Q. Didn't know any of them at all?—A. No, sir.

Q. You don't know whether they had any right to vote there or not?—A. No, sir; I couldn't say.

Q. You don't know anything to the contrary?—A. No, sir.

Q. Never heard anything to the contrary?—A. All I know is just what I seen; I couldn't say.

Q. There are quite a number of colored people that live around that neighborhood, aren't there?—A. Well, there is a good many in over south of Market street there.

Q. And on Market street, from Market street east to about Twentieth, there is practically nothing but colored people around there?—A. Yes; there is a good many there.

Q. From Twenty-third west to Jefferson avenue there is practically nothing but colored people?—A. Yes, sir.

Q. And the same is true of those side streets in there?—A. There are a good many lives in there, I know.

Q. Well, it is practically all colored people; outside of the prostitutes that live on Chestnut street pretty nearly all colored people that live there?—A. Well, it is pretty well mixed up; white and colored people both live along there together.

FRANK DUBOIS.

Subscribed and sworn to before me on this 30th day of December, 1903, at the place and within the hours first aforesaid.

CHAS. H. TOLLES, *Notary Public*.

My commission will expire October 22, 1906.

Not being able to complete the taking of said depositions by reason of the absence of witnesses, at 12.18 p. m. I adjourn the further taking of the same until tomorrow, Saturday, December 27, 1902, at 10 a. m.

CHAS. H. TOLLES, *Notary Public.*

On Saturday, December 27, 1902, at 10.45 a. m., by reason of the absence of witnesses I adjourned the taking of these depositions until Monday, December 29, 1902, at 10 a. m.

CHAS. H. TOLLES, *Notary Public.*

On Monday, December 29, at 10 a. m., by reason of the absence of witnesses I adjourned the taking of these depositions until Tuesday, December 30, 1902, at 10 a. m.

CHAS. H. TOLLES, *Notary Public.*

On Tuesday, December 30, 1902, at 10 a. m., by reason of the absence of witnesses I adjourned the taking of these depositions until Wednesday, December 31, 1902, at 10 a. m.

CHAS. H. TOLLES, *Notary Public.*

I, Chas. H. Tolles, a notary public within and for the city of St. Louis and State of Missouri, do certify that, in pursuance of the annexed commission and notice, came before me at 302 to 303 Oriol Building, in the city of St. Louis and State of Missouri, on the 26th day of December, 1902, at 10 a. m., William S. Collier, Charles W. Sunshine, William Hines, A. F. Gallegly, Kennett K. McAlpine, James Forristall, William May, and Frank Dubois, who were by me severally sworn to testify the whole truth of their knowledge touching the matter in controversy aforesaid; that they were examined and their examination reduced to writing and subscribed by them, respectively, in my presence, on the days above indicated, between the hours and at the place in that behalf first aforesaid; and their said depositions are now herewith returned.

CHAS. H. TOLLES, *Notary Public.*

My commission expires October 23, 1906.

Contestant's Exhibit No. 11, of February 4, 1903—James D. Halter, notary public.

TWELFTH CONGRESSIONAL DISTRICT (LONG TERM).

	James J. Butler.	George D. Reynolds.	Christ. Rocker.	William Bilbarrow.	Henry H. Artz.	George C. R. Wag- oner.	No. of pre- cincts, 1898.	No. of pre- cincts, 1900.
Ward 4:								
1	197	24	3	0	1	.....	19	12
2	472	17	0	0	0	.....	15	13
3	215	50	0	0	0	.....	20	12
4	203	65	0	0	0	.....	12	9
5	321	24	1	1	1	.....	13	10
6	131	26	0	0	2	.....	16	13
7	350	36	0	0	0	.....	18	12
8	88	67	3	1	2	.....	15	11
9	237	21	0	0	0	.....	16	11
Total	2,214	330	7	2	6	.....	16	12
Ward 5:								
1	100	40	0	0	14	.....	19	12
2	141	110	0	0	0	.....	15	13
3	226	66	5	2	2	.....	20	12
4	491	39	0	0	0	.....	12	9
5	184	30	0	0	0	.....	13	10
6	189	57	2	1	1	.....	16	13
7	226	58	0	0	0	.....	18	12
8	46	38	0	0	0	.....	15	11
9	141	72	2	0	7	.....	16	11
10	97	52	0	0	0	.....	16	12
Total	1,841	562	9	3	24	.....	19	12

Contestant's Exhibit No. 11, of February 4, 1903, etc.—Continued.

TWELFTH CONGRESSIONAL DISTRICT (LONG TERM)—Continued.

	James J. Butler.	George D. Reynolds.	Christ. Rocker.	William Billarrow.	Henry H. Artz.	George C. R. Wag- oner.	No. of pre- cincts, 1898.	No. of pre- cincts, 1900.
Ward 6:								
1	134	75	4	1	6		19	12
2	85	94	4	0	6		15	13
3	250	28	6	0	0		20	12
4	122	29	7	0	2		12	9
5	137	101	2	0	8		13	10
6	67	135	9	2	6		16	13
7	87	96	13	0	11		18	12
8	339	32	0	0	0		15	11
9	67	85	10	0	5		16	11
10	91	121	3	2	2		16	12
11	65	85	5	0	4		19	12
12	98	61	0	6	2		17	13
13	85	65	11	0	2		15	12
Total	1,627	1,067	74	11	54			
Ward 13:								
1	117	151	2	0	2		19	12
2	125	155	3	0	3		15	13
3	146	232	2	0	2		20	12
4	135	148	3	1	10		12	9
5	133	92	4	0	3		13	10
6	125	112	10	0	1		16	13
7	141	102	13	2	2		18	12
8	100	134	4	0	3		15	11
9	61	170	4	2	1		16	11
10	64	170	1	0	1		16	12
11	120	111	7	1	4	2	19	12
12	216	64	0	0	0		17	13
Total	1,483	1,641	53	6	32	2		
Ward 14:								
1	131	47	0	0	0		19	12
2	177	35	0	0	0		15	13
3	161	49	6	0	0		20	12
4	179	49	0	0	0		12	9
5	206	56	4	2	4		13	10
6	190	55	0	0	0		16	13
7	121	91	1	0	0		18	12
8	493	50	0	0	0		15	11
9	47	69	0	0	0		16	11
10	383	89	0	0	0		16	12
11	156	57	0	0	4		19	12
Total	2,244	647	11	2	8			
Ward 15:								
1	106	41	0	0	0		19	12
2	54	34	4	1	1		15	13
3	49	51	3	0	2		20	12
4	66	77	11	1	4		12	9
5	66	74	0	1	2		13	10
6	95	42	0	0	0		16	13
7	82	111	7	4	4		18	12
8	74	80	19	0	2		15	11
9	189	89	5	0	0		16	11
10	98	60	7	0	0		16	12
11	92	43	1	1	5		19	12
Total	971	702	57	8	20			
Ward 22:								
1	395	8	3	0	1		19	12
2	47	79	0	0	0		15	13
3	141	63	2	0	0		20	12
4	43	90	1	0	0		12	9
5	332	70	0	0	0		13	10
6	103	116	0	0	3		16	13
7	111	75	0	0	8		18	12
8	57	94	0	0	3		15	11
9	192	86	0	0	0		16	11
10	78	113	1	0	4		16	12
11	167	80	0	0	5		19	12
12	193	65	0	0	3		17	13
13	115	111	0	0	8		15	12
Total	1,974	1,059	7	0	35			

Contestant's Exhibit No. 11, of February 4, 1903, etc—Continued.

TWELFTH CONGRESSIONAL DISTRICT (LONG TERM)—Continued.

	James J. Butler.	George D. Reynolds.	Ch r i s t. Rocker.	William Bilbarrow.	Henry H. Artz.	George C. R. Wag- oner.	No. of pre- cincts, 1898.	No. of pre- cincts, 1900.
Ward 23:								
1	106	56	3	1	2		19	12
2	103	48	0	0	0		15	13
3	202	51	0	0	0		20	12
4	204	38	0	0	0		12	9
5	88	55	1	0	2		13	10
6	141	51	0	0	0		16	13
7	92	35	1	0	0		18	12
8	53	53	2	0	1		15	11
9	121	77	6	0	1		16	11
10	130	137	7	1	2		16	12
11	102	167	10	0	0		19	12
12	285	53	0	0	2		17	13
13	363	70	0	0	0		15	12
Total	1,980	891	30	2	10			
Ward 25:								
1	108	109	1	0	1		19	12
2	129	146	0	0	0		15	13
3	89	174	2	0	1		20	12
4	108	136	2	0	2		12	9
5	69	150	0	0	1		13	10
6	34	115	0	0	1		16	13
7	43	164	0	0	0		18	12
8	100	241	0	0	0		15	11
9	72	146	0	0	0		16	11
10	61	100	0	0	0		16	12
11	58	93	2	1	2		19	12
12	53	86	0	0	3		17	13
13	58	139	0	0	0		15	12
Total	982	1,799	7	1	11			

RECAPITULATION TWELFTH CONGRESSIONAL DISTRICT (LONG TERM), CONSISTING OF THE FOLLOWING WARDS: 4, 5, 6, 13, 14, 15, 22, 23, AND 25.

Ward—								
4	2,214	330	7	2	6		12	9
5	1,841	562	9	3	24		13	10
6	1,627	1,067	74	11	54		16	13
13	1,483	1,641	53	6	32	2	15	12
14	2,244	647	11	2	8		11	11
15	971	702	57	8	20		14	11
22	1,974	1,059	7	0	35		14	13
23	1,980	891	30	2	10		14	13
25	982	1,799	7	1	11		15	13
Total	15,316	8,698	255	35	200	2		

Contestant's Exhibit No. 12 of February 4, 1903—James D. Halter, notary public.

By Mr. HOLT CAMP:

Q. Will you produce the poll books of the fourth precinct of the Twenty-third Ward and read therefrom the numbers, names, and addresses of the voters contained therein, beginning with No. 1 and reading consecutively to the end thereof?—
A. Yes, sir.

Number.	Name.	Address.
1	Trowbridge, P. S.	3047 Clark avenue.
2	Barrett, John	3138 Manchester avenue.
3	Baldwin, Robert	3101 Clark avenue.
4	Nieson, Geo. P.; other book reads Nielson, George R.	2914 Manchester avenue.
5	Sheedy, J. M.	2949 Garrison court.
6	Reincher, Geo.	2919A Manchester avenue.
7	Murray, Thos. F.	2925 Clark avenue.
8	Wyatt, Joseph D.	2928 Manchester avenue.
9	Gimbal, Chas.	2902 Manchester avenue.
10	Baldwin, S. L. P.	3101 Clark avenue.
11	Wiggs, O. A.	2963 Manchester avenue.
12	Andreas, Geo.	2942A Manchester avenue.
13	Monihan, Jas. R.	3103 Clark avenue.
14	Gunsaulus, Thos.	3103 Clark avenue.
15	Edwards, Wm. H.	2932 Manchester avenue.
16	Grabe, Chas. C.	12A Compton avenue.
17	Brown, Joseph	2902 Manchester avenue.
18	Hull, Richard	3118 Laclede avenue.
19	Schoull, Fred	2948 Manchester avenue.
20	Gilfory, Jas. jr.	3113 Clark avenue.
21	Matthews, J. M.	2910 Laclede avenue.
22	Fisher, Chas.	2940 Laclede avenue.
23	Miller, John	2957 Clark avenue.
24	Feehan, Patrick	2935 Manchester avenue.
25	Gilfy, Thos.	3113 Clark avenue.
26	Mason, A. C.	3112 Laclede avenue.
27	Schadel, Frank	106A Garrison avenue.
28	Johnston, Urick	211 South Garrison avenue.
29	Clay, Chas. S.	3005 1/2 Clark avenue.
30	Schultz, Wm. C.	2911 Manchester avenue.
31	Morris, Geo. W.	3020 Manchester avenue.
32	Glass, Geo. F.	2912 Laclede avenue.
33	Krafft, A.	3121 Clark avenue.
34	Dockery, Frank	3117 Clark avenue.
35	Hodnett, H. F.	2947 Manchester avenue.
36	Cappelli, John H.	110 South Garrison avenue.
37	Duff, James	3042 Laclede avenue.
38	Allen, Chas.	3014 Laclede avenue.
39	Nay, Wm.	3042 Laclede avenue.
40	Grady, Jas. A.	2960 Manchester avenue.
41	On other book reads, Brady, Jas. F.	2960A Manchester avenue.
42	Abel, John	2902 Manchester avenue.
43	Carr, M. J.	3020 Laclede avenue.
44	Dugan, John	2949 Manchester avenue.
45	Punshon, Robt.	3119 Clark avenue.
46	Kenefick, Thos. L.	2927 Clark avenue.
47	Connell, Danl. A.	218 South Garrison avenue.
48	Walsh, John P.	10 South Compton avenue.
49	Grace, Wm. F.	214 South Garrison avenue.
50	Gilbert, Louis P.	2918 Manchester avenue.
51	Taylor, A. R.	3128 Laclede avenue.
52	Cowperthwait, J. W.	3017 Clark avenue.
53	Reis, John F.	2942 Manchester avenue.
54	Honer, Robt.	2913 Manchester avenue.
55	Daily, Chas.	102 South Garrison avenue.
56	Chartrand, Jos. A.	3045 Clark avenue.
57	Dunlap, Jas. A.	2947 Clark avenue.
58	Stewart, U.	218 South Garrison avenue.
59	Kenefick, W. J.	2927 Clark avenue.
60	Nelson, G. D.	3030 Laclede avenue.
61	Jones, Walter E.	3008 Laclede avenue.
62	Craig, Daniel	3042 Laclede avenue.
63	Brown, Jas.	3112 Laclede avenue.
64	Hall, Leonard	2927 Clark avenue.
65	Speer, Robt. G.	2912 1/2 Laclede avenue.
66	Pritchard, Jas. A.	3032 Laclede avenue.
67	Weaver, Fred W.	3028 Laclede avenue.
68	Riley, Chas. E.	2951 Garrison court.
69	Brown, Joe	216 South Garrison avenue.
70	Johnson, Frank O.	3008 Manchester avenue.
71	Taylor, John	218 South Garrison avenue.
72	Brennan, J. T.	100 South Garrison avenue.
73	Clapp, Alfred L.	3049 Clark avenue.
74	Terry, A. G.	3042 Laclede avenue.
75	Hennessey, Bert	2914 1/2 Laclede avenue.
76	Byrne, Philip.	3105 Clark avenue.
77	Boyle, J. D.	3023 Clark avenue.
78	Pourcellie, W. J.	2929 Clark avenue.
79	Guyon, Wm. P.	2929 Clark avenue.
80	O'Connor, Michael	3028 Laclede avenue.
81	Scheringer, Peter	2913 Manchester avenue.
82	Shelly, Patrick	2900 Laclede avenue.
83	Maxwell, James E.	3011 Clark avenue.
	Reeve, Frank.	114 South Garrison avenue.

Number.	Name.	Address.
84	Dubuque, Alix	2333 Manchester avenue.
85	Cook, B. K.: Cook, B. H., in other book.	3007 Clark avenue.
86	Brunsmann, Joseph A	3020 Laclede avenue.
87	Cadematau, John D	2322 Manchester avenue.
88	Ryder, L. H.	3029 Clark avenue.
89	Latte, Chas	2915A Manchester avenue.
90	Johnson, Henry	3113 Manchester avenue.
91	Turner, Cass M.	3009 Clark avenue.
92	Deniston, O. C	2938 Manchester avenue.
93	Ryan, Michael	2958 Manchester avenue.
94	Roberts, J. H	3032A Laclede avenue.
95	Noel, D. W.	3106 Manchester avenue.
96	Breckencamp, E. H	3020 Laclede avenue.
97	Deters, Joseph	3108 Manchester avenue.
98	Harker, Joe M.	2330 Laclede avenue.
99	Suttmueller, John H.	2948 Manchester avenue.
100	Vogel, John B	118 South Garrison avenue.
101	Stuart, John A	3025 Clark avenue.
102	Ross, Thos. S	2927A Manchester avenue.
103	Devine, Wm. J	3045 Clark avenue.
104	Gaffney, M.	3027 Clark avenue.
105	Weavers, John M	2914 Laclede avenue.
106	Lister, John W.	115 Ewing avenue.
107	Murphy, Thos	2953 Clark avenue.
108	Monfort, J. K	3146A Laclede avenue.
109	Stringer, C. E.	2929 Manchester avenue.
110	O'Leary, Dennis	3024 Laclede avenue.
111	Tucker, Patrick	2902 Manchester avenue.
112	Reis, Joseph A	2942 Manchester avenue.
113	Storn, P. E	2951 Manchester avenue.
114	Gilliard, A. W	3028 Laclede avenue.
115	Willott, Sus. H	2914 Manchester avenue.
116	Corey, W. W	3043 Clark avenue.
117	Coughlin, Thos.	2951 Manchester avenue.
118	In other book Williams, Henry	2934 Manchester avenue.
118	Williams, Henry	2934 Manchester avenue.
118	In other book Dempsey, John L	3027 Clark avenue.
119	Dempsey, John L	3027 Clark avenue.
119	Coughlin, Thos., in other book	2951 Manchester avenue.
120	Allen, Mayor	2902 Manchester avenue.
121	Bastian, Joseph	2957 Clark avenue.
122	Dosse, Theo	2900 Manchester avenue.
123	Eberle, John C	2941 Manchester avenue.
124	Eberle, John	2941 Manchester avenue.
125	Robinson, Wm. W	3026 Laclede avenue.
126	Maloy, M. J	3027 Clark avenue.
127	Reynolds, Joseph J	2928 Laclede avenue.
128	Gilbert, Herman	2915 Manchester avenue.
129	Barrett, John P. S.	3138 Manchester avenue.
130	Austin, Ed N.	2949A Garrison court.
131	Short, Frank T.	2947 Clark avenue.
132	Tyson, Fred	3120 Manchester avenue.
133	Kenefick, A. G	2927 Clark avenue.
134	Zitko, Chas.	2909 Laclede avenue.
135	McCall, A. J	3007 Clark avenue.
136	Murray, Wm. J	2925 Clark avenue.
137	Bambrick, Frank	2935 Manchester avenue.
138	Barringer, Geo.	3103 Manchester avenue.
139	Debo, John T.	2963 Manchester avenue.
140	Miller, Joseph N	2950 Manchester avenue.
141	Good, Dan	3042 Laclede avenue.
142	Glenn, Albert	3118 Laclede avenue.
143	Bird, Joseph	2927 Clark avenue.
144	Howard, John	2942 Laclede avenue.
145	Walters, Robt	3020 Laclede avenue.
146	Jones, John	3128 Laclede avenue.
147	Jones, Harry	3128 Laclede avenue.
148	Meyer, Frank	2900 Manchester avenue.
149	Bell, Wm. H	218 South Garrison avenue.
149	On other book Bell, Wm. H.	2914 Laclede avenue.
150	Long, John	2927 Clark avenue.
151	Smart, Fred	3042 Laclede avenue.
152	Matthews, J. M	2910 Laclede avenue.
153	Willmers, Fred	3103 Clark avenue.
154	Green, John	2947 Clark avenue.
155	Hull, Henry	3118 Laclede avenue.
156	Woods, Wm	2951 Clark avenue.
157	Bryson, Walter	3042 Laclede avenue.
158	Johnston, Wm. F	3112 Laclede avenue.
159	Thiel, Joseph M	2952 Manchester avenue.
160	Gray, Geo	3028 Laclede avenue.
161	Hall, O. F.	3117 Clark avenue.
162	Jones, Albert	2929 Clark avenue.
163	Crow, Albert	3003 Laclede avenue.

Number.	Name.	Address.
164	Kelly, Jas	3009 Manchester avenue.
165	Howard, Geo	2902 Laclede avenue.
166	St. Clair, Geo	2914 Laclede avenue.
167	Aul, Geo. A	3120 Laclede avenue.
168	Wheeler, Walters	2925 Clark avenue.
169	Winn, Wm	2914 Laclede avenue.
170	Lee, H	2931 Manchester avenue.
171	Sweeney, John	104 South Garrison avenue.
172	Bell, Robt	3124 Laclede avenue.
173	Brown, Jas	2904 Laclede avenue.
174	White, Wm	2902 Manchester avenue.
175	Peyton, Ed	2951 Clark avenue.
176	McCormick, Jas	2923 Clark avenue.
177	Glover, Thos	2904 Laclede avenue.
178	Allen, Thos	3132 Manchester avenue.
179	Stafford, —	3011 Clark avenue.
180	Whalen, Ed	2949 Clark avenue.
181	Phelps, Joseph	13 South Ewing avenue.
182	Price, Wm. R.	3004 Laclede avenue.
183	Sanford, John	2929 Clark avenue.
184	Fox, Chas	3010 Garrison court.
185	Jones, Wm	3128 Laclede avenue.
186	Reed, Wm	2944 Manchester avenue.
187	Fisher, Henry	13 South Ewing avenue.
188	Jones, Thos	3112 Laclede avenue.
189	Reed, Peter	3008 Garrison court.
190	Dunn, Thos	3122 Manchester avenue.
191	Clarke, Thos	2929 Clark avenue.
192	Brown, Sam	3010 Garrison court.
193	Davis, John	3004 Laclede avenue.
194	Powers, Thos	3008 Manchester avenue.
195	Powers, Wm. J	3008 Manchester avenue.
196	Scott, G. O. M	3047 Clark avenue.
197	Leonard, Thos	2945 Manchester avenue.
198	Johnson, Sam A.	113 South Ewing avenue.
199	Lewis, Wm. T	3108 Manchester avenue.
200	Hentze, Ernest	3148 Laclede avenue.
201	Casey, John, jr	2918 Laclede avenue.
202	Kohrs, Otto H	2943 Manchester avenue.
203	Gallagher, Pat	2953 Clark avenue.
204	Cronin, M. F.	111 South Ewing avenue.
205	Goodman, John	3022 Manchester avenue.
206	Conklin, Thos	3029 Clark avenue.
207	Hughes, Joseph V	2947 A Manchester avenue.
208	Sutmueller, B. J.	2948 Manchester avenue.
209	Sutmueller, F. H	2948 Manchester avenue.
210	Gay, Ed	3010 Garrison court.
211	Clark, Christ	2949 Clark avenue.
212	Miller, Chas. E	3023 Clark avenue.
213	Neundubel, Lewis	3036 Laclede avenue.
214	Torloting, Michael	2947 Clark avenue.

I now adjourn the further taking of testimony in the case of Wagoner v. Butler of the Twelfth Congressional district for the short term until 9 a. m. January 3, 1903.

[SEAL.]

AUGUSTUS M. WOOD, *Notary Public*.

Resumed the taking of this deposition at 9.15 a. m. January 3, 1903, pursuant to adjournment.

By Mr. KINSEY:

Q. Have the poll books which were read from by you at the adjournment last night been again delivered to you by Mr. Moore and Mr. Regan, the custodians?—

A. They have.

Q. Proceed now to the reading of said names.—A.

Number.	Name.	Address.
215	Carey, Jas	2919 Manchester avenue.
216	Chardrand, M. N	3045 Clark avenue.
217	Lovekamp, J. F.	3028 Laclede avenue.
218	Meloy, P. A	3054 Clark avenue.
219	Wyatt, Jas	2928 Manchester avenue.
220	Nathaus, Herman	3103 Manchester avenue.
221	Casey, John	2918 Laclede avenue.
222	Gaffney, Jas	3110 Manchester avenue.

Number.	Name.	Address.
223	Phillips, T. H.	3120 Laclede avenue.
224	Frank, Chas.	3101 Manchester.
225	Carey, Martin	2919 Manchester.
226	Taylor, John	3003 Clark.
227	Scanlin, Sam.	2935 Clark avenue.
228	Scheer, Louis	2912 Manchester avenue.
229	Birdnax, Sam	2900 Manchester avenue.
230	Ritter, John	3007 Manchester avenue.
231	Leonard, M. J.	2945 Manchester avenue.
232	Leahey, Micheale	2935 Clark avenue.
233	Burns, Dave	2947 Manchester avenue.
234	Burnes, J. T.	2947 Manchester avenue.
235	Barthel, Alex. F.	3011 Manchester avenue.
236	Skinner, Jason S.	3005 Clark avenue.
237	Ellis, Jessie	3009 Clark avenue.
238	Williams, J. W.	3003 Clark avenue.
239	Taffe, Thos.	108 South Garrison avenue.
240	Donough, Thos.; the other book shows Donihue, Thos.	3011 Clark avenue.
241	Cavello, E. A.	3009 Clark avenue.
242	Arment, E. P.	2932 Manchester avenue.
243	Craven, Martin	3105 1/2 Clark avenue.
244	Weaver, Lewis A.	3028 Laclede avenue.
245	Coughlin, Dave	3029 Clark avenue.
246	Wester, Herman	3103 Manchester avenue.
247	Galloway, George A.; the other book shows Galway, Geo. J.	2951 Clark avenue.
248	Dunlap, Thos. A.	2947 Clark avenue.
249	Scheer, Lewis, jr.	2912 Manchester avenue.
250	Bell, Henry	3120 Laclede avenue.
251	Grace, Wm. K.	214 South Garrison avenue.
252	Ries, Henry	2942 Manchester avenue.
253	Kimmel, Wm.	2900 Manchester avenue.
254	Harry, Jas.	2902 Manchester avenue.
255	Leonard, D.	2962 Manchester avenue.

Q. (By Mr. CLINE.) Will you examine the certificates of the judges and clerks and state the number of votes received at said precinct by the candidates for Congress in the Twelfth Congressional district of Missouri for the short term?—A. Yes, sir. James J. Butler received 206 votes; George C. R. Wagoner received 37 votes.

Q. How many of the judges and clerks have signed each of the certificates to which you have just referred?—A. Four judges and 2 clerks.

Q. Will you produce the poll books used in precinct No. 1 of the Twenty-fifth Ward at said election on the 4th day of November, 1902, in the city of St. Louis, Mo., and read therefrom the number, name, and address of each voter recorded therein, beginning at No. 1 and continuing in consecutive order to and including the last name in each of said books?—A. We will.

Number.	Name.	Residence.
1	Rob. W. Nickol	1345 Old Manchester.
2	John Brennan, jr.	4110 Manchester.
3	Fred Wilbert	1212 Boyle avenue.
4	Henry Zimmerscheid	1237 Old Manchester avenue.
5	Jos. Wilbert	1210 Boyle avenue.
6	Thos. A. Rowe	1228 Boyle avenue.
7	Frank A. Stradal	1122A Boyle avenue.
8	J. P. Sutorius	1127 Talmage.
9	W. C. Burnes	1254 Old Manchester road.
10	Austin Lehning	1133 Talmage avenue.
11	C. W. Bonnerman	4048 Manchester.
12	Frank James	1235 Manchester avenue.
13	Jos. M. Rose	1142 Kentucky avenue.
14	Wm. D. Moore	1418 Wittenberg avenue.
15	Frank X. Weisel	1137 Kentucky avenue.
16	John Stoehr	1120A Talmage avenue.
17	A. J. Jobst	4054 Manchester avenue.
18	J. H. Bockhorst	1304 Boyle avenue.
19	A. Basham	1114 Talmage avenue.
20	John Bonn	1248 Old Manchester road.
21	Andrew J. Tucker	1322 Boyle avenue.
22	Fred Gerrock	4188 Manchester avenue.
23	Frank Schmidt	1308 Kentucky avenue.
24	Noland S. Brown	1203 Old Manchester road.
25	Jas. Livesey	1416 Old Manchester.

Number.	Name.	Address.
26	Jas. Richardson	1124A Boyle avenue.
27	Fred Repp	1315 Manchester road.
28	A. G. W. Hillsich	1122 Kentucky avenue.
29	Byron Betzer	1223 Old Manchester road.
30	Jos. Stahl	1132A Talmage avenue.
31	Wm. Armstrong	1126 Kentucky avenue.
32	Julius Schlagg	1133 Talmage avenue.
33	Martin Opsahl	1248 Old Manchester road.
34	August F. Schuster	4184 Manchester avenue.
35	Jas. A. Brennan	4110 Manchester avenue.
36	Wm. F. Schroeder	4190 Manchester avenue.
37	Gustave C. Beck	1408 Old Manchester road.
38	R. J. Mackinzy	1113 Kentucky avenue.
39	Jas. Lynch	4100 Manchester avenue.
40	Francis Milligan	1122 Talmage avenue.
41	Lawrence Cary	1051 Old Manchester.
42	P. J. Broe	1303 Manchester avenue.
43	J. J. Freeman	4148 Manchester avenue.
44	John Betz	4124 Manchester avenue.
45	Andrew Darling	1130 Kentucky avenue.
46	Rodger Alton	1209 Manchester road.
47	R. J. Bell	1203 Old Manchester.
48	E. W. Hopkins	1417 Old Manchester.
49	Jas. F. Milligan	1122 Talmage avenue.
50	L. E. Krawllman	1002 Manchester road.
51	George B. Weis	4162 Manchester road.
52	Felix Zinger	1144 Kentucky avenue.
53	Jacob Maurer	1239 Old Manchester.
54	Henry Bauer	4159 Manchester avenue.
55	J. J. Hayes	1132 Kentucky avenue.
56	Geo. Lauth	1201 Manchester road.
57	Fred Mauller, jr	4062 Manchester avenue.
58	H. J. Pollman	4150 Manchester avenue.
59	H. R. Hillhouse	1402 Old Manchester.
60	W. J. Jones	1212 Manchester road.
61	Chrest. Johnson	1454 Talmage avenue.
62	Frank P. Knabb	4052 Manchester avenue.
63	Elmer Kunkle	1133A Talmage avenue.
64	A. L. Headly	1402 Manchester road.
65	Hugo Eswin	922 Manchester avenue.
66	Fred Kunsler	1201 Manchester road.
67	Conrad Fisher	1201 Manchester road.
68	Chas. Hufschmidt	1339 Manchester road.
69	A. W. Earl	1307 Old Manchester.
70	Jerry Guinee	1006 Old Manchester.
71	J. W. Deveau	1421 Old Manchester.
72	John Hubbard	1319 Old Manchester.
73	E. B. Mathews	1319 Old Manchester.
74	J. H. Wolfe	4182 Manchester avenue.
75	Jas. Nolan	1106 Talmage avenue.
76	Wm. Millin	1124 Talmage.
77	Patrick Winters	1134 Kentucky avenue.
78	Geo. A. Atwood	1225 Old Manchester road.
79	R. C. Hittaffer	1234 Old Manchester (rear).
80	B. H. Wittenberg	1404 Old Manchester.
81	P. L. Kinlough	1114 Talmage avenue.
82	Tim Broe	1303 Kentucky avenue.
83	August Vonderheid	1135 Talmage avenue.
84	Thos. Carr	1107 Talmage avenue.
85	Peter Pollman	4150 Manchester avenue.
86	Jas. Furgeson	1116 Talmage avenue.
87	August Ahrens	4026 Manchester avenue.
88	John A. Hammer	1000 Manchester road.
89	J. H. Simon	1104 Manchester avenue.
90	Jos. J. Stich	4110 Old Manchester avenue.
91	John W. Warfield	3968 Chouteau avenue.
92	Martin J. Lanahan	4134 Manchester avenue.
93	John J. Brennan, sr	4110 Manchester avenue.
94	Jas. Wallace	1021 Old Manchester.
95	Jos. M. Haffner	4030 Manchester avenue.
96	John Keiting	1126 Talmage avenue.
97	John T. Wolfe	1447 Manchester avenue.
98	W. A. Tucker	1233 Old Manchester.
99	Chas. Wilson	1120 Talmage avenue.
100	Chas. Potterfield	4148 Manchester avenue.
101	Otto Stein	1400 Manchester road.
102	John Vogt	1427 Kentucky avenue.
103	Jas. W. Owsley	4100 Manchester avenue.
104	John Millin	1124 Talmage avenue.
105	Harry Milline	1124 Talmage avenue.
106	Richard Corcoran	1124 Old Manchester.
107	Ben Holsten	1437 Old Manchester.
108	Jas. Young	1118 Boyle avenue.
109	Thos. Coyle	4046 Manchester avenue.
110	Vincent Jankosky	1310 Boyle avenue.

Number.	Name.	Address.
111	H. H. Hughes	1308A Kentucky avenue.
112	Fred Reifeiss	1008 Manchester road.
113	Jno. King	1001 Manchester road.
114	Henry Summerman	3968 Chouteau avenue (rear).
115	Jas. Boral	4124 Manchester avenue.
116	W. L. Jones	4050 Manchester avenue.
117	Chas. Jones	4050 Manchester avenue.
118	Chas. Meyer	3923 Chouteau avenue.
119	Geo. Lornbacher	1140 Kentucky avenue.
120	Gutlieb Dupp	1308 Kentucky avenue.
121	Henry Belter	906 Manchester avenue.
122	John A. Dyer	1420 Old Manchester avenue.
123	Jno. Teirney	1247 Old Manchester.
124	Jos. Eckmeyer	1345 Old Manchester.
125	Gustav Terrock	4188 Old Manchester.
126	J. H. Chistler	1314 Boyle avenue.
127	Wm. E. Vach	1334 Old Manchester avenue.
128	Julius Gerrock	1260 Old Manchester avenue.
129	A. J. Burlingue	4137 Manchester avenue.
130	J. R. Brandon	1456 Old Manchester road.
131	J. P. Lillu	4062 Manchester avenue.
132	Henry Meyer	1134 Talmage avenue.
133	Frank Champ	1328A Boyle avenue.
134	Jno. Tice	4146 Manchester avenue.
135	Chas. H. Schmid	4178 Manchester avenue.
136	Wm. Schroeder	4138 Manchester avenue.
137	Fred Summerman	3968 Chouteau avenue.
138	Jacob Hammer	1000 Manchester road.
139	Jas. W. Hancock	4158 Manchester avenue.
140	Harry Elder	1315 Manchester road.
141	E. J. Moran	1227 Manchester road.
142	W. W. Grimes	1448 Manchester road.
143	Eugene Lauth	3943 Chouteau avenue.
144	Manning Gore	1114 Talmage avenue.
145	Theo. Hydenger	1430 Old Manchester avenue.
146	H. S. Miller	1120 Talmage avenue.
147	Sam Wallace	1120 Talmage avenue.
148	W. S. Danials	1325 Manchester road.
149	Geo. Davis	4042 Manchester avenue.
150	Wm. Strathman	1134 Talmage avenue.
151	Milton P. Kline	3945 Chouteau avenue.
152	John Volk	1219 Manchester road.
153	Wm. Schmidt	4178 Manchester avenue.
154	E. R. Martin	922 Manchester road.
155	Ernst Weigle	1145 Talmage avenue.
156	L. E. Escoff	900 Manchester road.
157	Lephold Freiheit	1410 Old Manchester.
158	Jacob Moore	1441 Kentucky avenue.
159	Judson Lewis	3930 Papin street.
160	Geo. Shuey	1430 Old Manchester road.
161	Frank L. Gibbons	914 Manchester road.
162	Edward Freitag	1140 Talmage avenue.
163	Thos. Maston	1124 Talmage avenue.
164	Frank Wichard	1303 Old Manchester road.
165	Wm. Litto	1407 Old Manchester road.
166	Jno. Wineyard	4122 Manchester avenue.
167	K. G. Bellairs	4106 Manchester avenue.
168	Wm. Wineyard	4122 Manchester avenue.
169	Theo. J. Rose	1144 Kentucky avenue.
170	Wm. Magor	1307 Kentucky avenue.
171	Ben Smith	1120 Talmage avenue.
172	Mickel Kahlmeyer	1141 Kentucky avenue.
173	Jas. P. Murphey	2923 Chouteau avenue.
174	John Marrnier	1129 Kentucky avenue.
175	T. B. Sigmund	1207 Old Manchester.
176	Edward Johnson	3960 Chouteau avenue.
177	Wm. Pelpfrey	1324 Boyle avenue.
178	T. F. Meville	1421A Old Manchester.
179	Albert Harris	4038 Manchester.
180	J. H. Healey	1025 Manchester.
181	Edward Killon	4062 Manchester.
182	Antone Ganner	2923 Chouteau.
183	E. H. Spooner	1116 Talmage avenue.
184	Tom Crowe	1424 Old Manchester.
185	Chas. Ruth	1233 Old Manchester.
186	Perer Hellfrick	1041 Manchester.
187	M. Sigmund	1209 Manchester.
188	N. Humn	4056 Manchester.
189	Frank Schoors	1127 Kentucky avenue.
190	Thos. McDermont	1411 Talmage.
191	John Hogan	1134 Kentucky.
192	Michael Syron	2953 Chouteau avenue.
193	Edw. Winegard	4122 Old Manchester.
194	A. J. Schrann	1441 Old Manchester.
195	Jas. Hughes	3945 Chouteau avenue.

Number.	Name.	Address.
196	Jas. Brady	1021 Old Manchester.
197	Julius Meyer	1308 Boyle avenue.
198	A. J. Heimer	1124 Kentucky avenue.
199	J. L. How	1218 Boyle avenue.
200	Lewis Logan	3945 Chouteau.
201	Christ Kelley	1260 Manchester.
202	Frank McKane	1235 Manchester road.
203	Fred Miller	4062 Manchester.
204	Chas. Hagemeyer	1120 Kentucky avenue.
205	Jim M. Moore	1418 Wittenberg.
206	Thos. Drennan	1420 Wittenberg avenue.
207	John Conwell	1224 Manchester.
208	Jas. Milline	1124 Talmage avenue.
209	Wm. Wichard	1303 Old Manchester.
210	John J. Hayes, jr.	1132 Kentucky avenue.
211	John Avery	1417 Manchester.
212	W. Allenger	1407 Talmage avenue.
213	Jos. Opperman	3923 Chouteau avenue.
214	Dan Conneley	2930 Chouteau avenue.
215	Dan Devine	1202 Manchester.
216	J. J. Strunk	3970 Chouteau (rear).
217	John Fitzgerald	1313 Kentucky.
218	Jos. Grebin	3950 Chouteau.
219	C. G. Murphy	1307 Manchester.
220	Herman Holstein	1435 Kentucky.
221	Henry C. Wies	4162 Manchester avenue.
222	B. F. Nelson	1422 Wittenberg avenue.
223	Fred Wichard	1303 Old Manchester.
224	Rudolph Lauser	1118 Boyle avenue.
225	Mike Laherty	1125 Kentucky avenue.
226	Otto Kreidel	1012 Manchester avenue.
227	Michael Kelley	1300 Boyle avenue.
228	Andrew Evans	1041 Manchester avenue.
229	Wm. Enders	4100A Manchester avenue.
230	John Boyle	4118 Manchester avenue.
231	John W. Cain	4150 Manchester avenue.
232	Christ McCabe	3930 Chouteau avenue.
233	Ernest Wolf	4182 Manchester avenue.
234	J. S. Dunn	1331 Old Manchester.
235	David Pelphey	1334 Boyle avenue.
236	Wm. Dace	1212 Old Manchester.
237	Chas. H. Knabb	4052 Manchester avenue.
238	Edward F. Wisberg	1224A Manchester road.
239	Steve Sweetin	1308 Old Manchester.
240	Fred Osterholt	3945 Chouteau avenue.
241	Sam L. Moore	1418 Wittenberg avenue.
242	Wm. Armstrong (line drawn through name on the poll books).	None.
243	John Larrigan	3951 Chouteau avenue.
244	Chas. Lohre	1121 Talmage avenue.
245	Geo. Warfeld	3960 Chouteau avenue (rear.)
246	Joe Wintrick	1133 Kentucky avenue.

By Mr. HOLTCAMP:

Q. Will you state the number of votes for each Congressional candidate for the short term as certified to by the judges in the poll book from which you have just read?—A. James J. Butler received 109; George C. R. Wagoner received 106; Henry Artz received 1.

Q. How many of the judges and clerks signed the poll book?—A. Four judges and two clerks.

CITY OF ST. LOUIS, *State of Missouri*, ss:

We, Louis P. J. Masterson and Edward Behrens, being duly sworn as aforesaid, testify that all the numbers, names, and addresses appearing in the foregoing depositions were written down in our presence, and that the same are recorded as they appear in the poll books produced and read from as above.

LOUIS P. J. MASTERSON.
EDW. J. BEHRENS.

Subscribed in my presence and sworn to before me this 3d day of January, 1903.

[SEAL.]

AUGUSTUS M. WOOD.
Notary Public, City of St. Louis.

My term will expire May 8, 1904.

Contestant's exhibit No. 14, of February 4, 1903—James D. Haller, notary public, city of St. Louis, Mo.

George C. R. Wagoner, contestant, v. James J. Butler, contestee.

Depositions of witnesses hereinafter named, produced, sworn, and examined between the 16th day of December, 1902, and the 3d day of January, 1903, before me, J. T. Sanders, a notary public within and for the city of St. Louis, Mo., and within the Twelfth Congressional district of Missouri, in the election contest now pending before the Fifty-seventh Congress of the United States, wherein George C. R. Wagoner is contestant and James J. Butler is contestee, on the part of contestant.

Counsel for contestee inquired whether the notary was a resident of St. Louis. The notary stated that he was, and resided at No. 4370 Laclede avenue, in the city of St. Louis.

JAMES H. SMITH, a witness, being produced, sworn, and examined on the part of the contestor, deposed as follows:

By FRANK E. RICHEY, Esq.:

Q. State your name.—A. James H. Smith.

Q. Age?—A. I am in my seventy-second year.

Q. Place of residence?—A. At present at 1726 Franklin avenue.

Q. Your business?—A. Horse business.

Q. Where are you employed now?—A. By the Fidelity Storage and Warehouse Company; in charge of their stables.

Q. In what precinct do you reside, and where did you reside at the time of the election on November 4 of this year?—A. At 1723 Morgan street.

Q. In what precinct is that, and ward?—A. Fourth Ward and ninth precinct.

Q. You were one of the clerks of election?—A. I was.

Q. Where was the polling place of that precinct?—A. At 316, if I remember right, North Seventeenth street.

Q. That precinct was in the Twelfth Congressional district of Missouri?—A. I believe it was, sir.

Q. Do you know Gustav Schmidt, one of the Republican judges at that precinct?—A. I understand that was his name; was the first time I ever met him.

Q. Do you know Paul Mertz?—A. Yes.

Q. He was also a Republican clerk at that precinct?—A. Yes; he was.

Q. Do you know the Democratic judges there?—A. I think they started in with a man named Heffernan and one named Cosgrove, or some such name.

Q. You say started in. What do you mean by that?—A. They didn't finish. Mr. Heffernan, he went home.

Q. When?—A. About half past 12, I guess.

Q. On election day?—A. Yes, sir.

Q. Was he there from the time the polls opened on the morning until about half past 12?—A. Yes, sir.

Q. Where did he go?—A. I couldn't say; he left there.

Q. Did any of the other judges leave at that time?—A. Yes.

Q. Who were they?—A. Schmidt and Mertz.

Q. Schmidt and Mertz?—A. Yes, sir.

Q. That left Cosgrove, the Democratic judge, there?—A. Yes, sir.

Q. What was the occasion of those judges leaving at that time?—A. They were disabled.

Q. Tell all about it.—A. They were beat up.

Q. Where and by whom?—A. I could not tell you that; don't know who they were.

Q. Did you act as clerk during the entire day?—A. I stayed there all day; I had nothing to do.

Q. How long did you act as clerk?—A. I was there all day, but I had no writing to do, for the crowd came and took the poll books away.

Q. When did the crowd come and do that?—A. About 12.

Q. Was an account kept of the votes that were cast up to that time by you as one of the clerks?—A. Yes, sir.

Q. Do you know who the Democratic clerk was there?—A. The name he gave was Grady.

Q. To whom did he give the name of Grady?—A. The election commissioners, I suppose.

Q. After Heffernan and Mertz and Schmidt were driven away, as you say, about 12 o'clock, who took their places as judges, if you know?—A. A man named Cox.

Q. H. M. Cox?—A. H. M. Cox and a man named—

Q. James Powers?—A. No, sir.

Q. C. F. Boys?—A. Yes; Boys.

Q. Did another man take the clerk's place there that day?—A. No, sir.

Q. Do you know Thomas J. Smith?—A. I do not.

Q. Was he one of the clerks there?—A. No, sir.

Q. How did the trouble that you spoke of, wherein the three judges were driven away, begin?—A. How did it commence?

Q. Yes.—A. It commenced about—everybody wanted to vote at once. It seemed one of the Republican judges told one man that he had been there and voted before.

Q. One of the men who offered to vote there?—A. Yes, sir; and the party that came in there were eight. They hadn't room for more than three to vote at once. Three booths, and they were instructed not to let anybody in but three at a time.

Q. Who was instructed that way?—A. The Republican judges had instructed the policeman at the door in the hall.

Q. And eight came in?—A. Yes, sir.

Q. Where there was only room for three?—A. Yes.

Q. Go on.—A. The Republican judge told him he had voted before. He declared he had not. He kind o' remonstrated with him and told him to go, that he had voted, and to let somebody in who was entitled to vote. They had some words and he asked the officer to take the man out.

Q. Who asked the officer to take the man out?—A. The Republican judge.

Q. What Republican judge was that?—A. Schmidt. He said he could not do it. They closed the books and did not receive any more votes. Those parties went out in the hall—the six that wanted to vote.

Q. Did the eight go out?—A. All went out.

Q. Then what?—A. Three walked in and voted; I do not think they were of that eight.

Q. Three other people came in and voted, and the voting was resumed?—A. Yes, sir.

Q. Then what happened?—A. A sergeant of police came rushing in and says: "The report is that you have all got arms."

Q. Addressing the judges and clerks?—A. Yes, sir. I was nearest the door. He searched me first and went on and searched them, and when he went around he went to the door—I could still see him where I was standing—and he says: "Boys, it's all right; there's not a gun in the crowd."

Q. Who said that?—A. Sergeant Lally.

Q. Sergeant Lally said that?—A. Yes, sir.

Q. To whom did he make that statement?—A. I suppose to the multitude in front of him.

Q. How long was that after the eight had gone out?—A. Probably ten minutes.

Q. Then what happened?—A. I do not know just what did happen. About a minute afterwards—

Q. Why?—A. It upset me.

Q. Who upset you?—A. This gang that ran in.

Q. What gang?—A. I don't know.

Q. How many of them, about?—A. A roomful; I should judge about 30.

Q. What did they do?—A. Just hammered up everybody they could reach that was on the Republican side, that represented the Republican ticket.

Q. Did they hammer you?—A. I went down; was knocked down at the first kick and knocked into the corner, and they were all on top of me, and I escaped that way.

Q. At the bottom?—A. Yes, sir; I was underneath.

Q. After that did you see Mr. Mertz and Mr. Schmidt, the Republican judges?—A. I asked an officer—

Q. Did you see them?—A. Yes, sir.

Q. Were they beaten?—A. They were; yes; beat bad.

Q. How?—A. With brass knuckles and pistols, and one thing and another.

MR. BUTLER. Please state the facts.

Q. (By Mr. RICHY.) Did you see brass knuckles?—A. I did.

Q. Did you see pistols?—A. I did.

Q. Did you see these men hammered?—A. I did.

Q. Did they show the effects of the hammering?—A. They did.

Q. Where was the police, then, while this was being done?—A. I did not see any.

Q. Had they been there before?—A. They had been there before.

Q. In the room?—A. No; there was one there at this time. Then the sergeant took one of the police and went south.

Q. There were two policemen there, then?—A. Before that.

Q. Before this trouble?—A. Yes, sir.

Q. Before that Sergeant Lally stated that there was not a gun in the crowd. When he made that statement these people came in and hammered the judges and clerks?—A. Yes, sir.

Q. Then just before that crowd came in, if I understand you, Sergeant Lally took one of the officers away?—A. He did.

Q. Who was it?—A. Horan.

Q. What became of the other officer?—A. He remained in the hall until the fight was over, and then walked in.

Q. What was his name?—A. That I could not tell you.

Q. You say Sergeant Lally said, "There is not a gun in the crowd." Is that true?—A. It was not true.

Q. Who had a gun?—A. I seen Cosgrove with a gun in his hip pocket.

Q. How long afterwards?—A. Probably five or ten minutes. He was leaning out of the window.

Q. Was Heffernan beat up?—A. No, sir.

Q. Was Cosgrove beaten up?—A. No, sir.

Q. Was Boys beaten up?—A. Boys was not there.

Q. None of the Democrats were beat, were they?—A. No, sir.

Q. But all of the Republicans were hurt?—A. Yes, sir.

Q. Was there a challenger there?—A. No, sir.

Q. Had there been?—A. No, sir; if there was I did not see him.

Q. When the polls were opened that morning, were you there?—A. I was.

Q. Did either party have a challenger?—A. There was something said about it and they said we didn't need him.

Q. Who said that?—A. Cosgrove.

Q. Was any report made of this trouble to the election commissioner?—A. There was.

Q. Did the election proceed?—A. Until about 3 o'clock.

Q. That is from 12 or half past until about 3 or a quarter past 3 o'clock, at that precinct the election was entirely stopped?—A. Yes, sir.

Q. And no votes were received during that time?—A. No, sir.

Q. Was the ballot box destroyed or any of the election paraphernalia?—A. The box seemed to be all right; the voting book was taken away.

Q. The ballot book was taken away?—A. Yes, sir; the sheets that we were writing names on.

Q. That is the ballot sheets, the ballot lists?—A. Yes, sir. Our ink bottles were all kicked over; pens scattered.

Q. Was the poll book returned?—A. No, sir; not until late in the afternoon, when Mr. Aloe sent one.

Q. Mr. Aloe, one of the board of election commissioners, sent up one?—A. Sent up more sheets.

Q. And a poll book?—A. Yes, sir.

Q. Was the poll book the same that had been taken away by this gang?—A. No, sir; it hadn't a mark in it.

Q. It was simply a blank book?—A. Yes, sir.

Q. When did that come up there?—A. It came, I should judge, about half past 5.

Q. Now, who took the place of Mr. Heffernan, the Democratic judge, who did not return?—A. I can not remember his name; they went out and found one.

Q. Who went out and found one?—A. The Democratic judge, Cosgrove.

Q. Who took the place of the Republican judges, Mertz and Schmidt?—A. A man named Cox and a man named Boys.

Q. Who got them?—A. Cosgrove.

Q. The Democratic judge?—A. Yes, sir.

Q. Were Cox and Boys Republicans or Democrats?—A. They said they were.

Q. Said they were what?—A. Republicans.

Q. Did you see them vote?—A. I did.

Q. At that election?—A. Yes, sir.

Q. Did they vote the Democratic ticket?—A. Yes, sir.

Q. And after they became judges?—A. Yes, sir.

Q. What ticket did they vote?—A. The Democratic ticket.

Q. Both of them?—A. Both of them.

Q. Were any protests made, other than the one that you have spoken of, against the men coming in there and voting?—A. Oh, yes.

Q. Who made those protests?—A. The judge, Schmidt, and Judge Mertz.

Q. Against whom did they make protests of that kind?—A. I could not tell you the names; the men that wanted to vote the second time.

Q. Were there many men that wanted to vote the second time?—A. Quite a number.

Q. Were they permitted to vote a second time?—A. Not while those two men were there.

Q. Who were there?—A. Schmidt and Mertz.

Q. Were they permitted to vote after Schmidt and Mertz had been thrown out?—A. Yes, sir.

Q. By whom?—A. By the judges.

Q. Did you know any of the men that voted more than once?—A. I think I could pick them out.

Q. Do you know the names of any of them?—A. I know the names they voted under.

Q. Do you know any one person who voted more than once at that election in that precinct?—A. I could not say what his name is; they called him Kinney. I was told that his name is Kinney.

Q. Do you know what his first name was?—A. I could not tell you that. He voted once as Thomas McKinney.

Q. Do you know from what number he voted?—A. 1636 Franklin avenue.

Q. Did he vote under any other name than that of Thomas McKinney?—A. Yes, sir.

Q. What name? (Witness here examined a notebook, which he took from his pocket.)—A. Clapp, 1636 Franklin.

Q. What other name, if any, did Mr. Kinney vote under?—A. John Franklin.

Q. From what number?—A. 1636 Franklin.

Q. Upon what other name, if any, did Kinney vote?—A. Charles Bent.

Q. Of what number?—A. 1636 Franklin.

Q. Did you hear Kinney's first name?—A. No, sir; I didn't. He said it was Kinney; that was all I was told.

Q. Do you know the premises, 1636 Franklin?—A. Yes, sir.

Q. What sort of business is carried on there at other times than elections?—A. A saloon on the first floor.

Q. Who occupies the saloon?—A. Reardon & Griffin are the names on the window.

Q. Do you know Griffin's first name?—A. No, sir.

Q. Do you know Reardon's first name?—A. I do not.

Q. Do you know of any other man who voted at that precinct, at that election, more than once?—A. One more.

Q. Who was he?—A. I could not tell his name.

Q. White or black?—A. A black man.

Q. Do you know what names he voted under and from what registration number? (Witness here examines the same notebook and continued.)—A. He voted as Frank Miller.

Q. From what number?—A. 1621 Linden street.

Q. Also, as—A. J. Brown.

Q. From what number?—A. 1716½ Morgan, and Charles Scott from the same number.

Q. 1716½ Morgan?—A. Yes, sir.

Q. And also as any other person?—A. He voted as C. Bass, 1623 Morgan street.

Q. When you spoke of the registration places where Kinney voted the names of Bent, McKinney, Clapp, and Frank, you said 1636 Franklin?—A. Yes, sir.

Q. Don't you mean 1636 Morgan?—A. Franklin avenue. I meant it as I said it. He voted all his votes from 1636 Franklin.

Q. What is the number of Reardon & Griffin's place?—A. 1636 Franklin.

Q. Do you know how many rooms there are at that house?—A. I think there is eleven above the first floor.

Q. Do you know how many voters there were registered from that number?—A. I think there was 80.

Q. Were you one of the clerks that canvassed that precinct for the registration?—A. Yes, sir.

Q. Who was the Democratic clerk?—A. Grady.

Q. M. H. Grady?—A. I don't know the initials.

Q. Did you go with Grady to this place of Griffin's?—A. I did.

Q. Did you make inquiries as to the existence of the people that were claimed lived there?—A. I did, sir.

Q. Did you find 80 voters who lived there?—A. Didn't get a chance to see; they wouldn't admit us.

Q. Who refused to admit you?—A. The people who owned the rooming department.

Q. What reason did they give?—A. Didn't allow anybody to go through their house.

Q. What was done then, by Grady and yourself, if anything?—A. Walked off.

Q. What was done with 80 names, if anything?—A. We made a compromise the following Sunday.

Q. Where was that made?—A. At the election commissioners' office.

Q. How did you come to be there?—A. We were called there on Sunday.

Q. By whom?—A. The commissioner of election.

Q. That was the Sunday before the election?—A. Yes, sir.

Q. At whose suggestion was a compromise made?—A. Mr. Wood and Mr. Aloe got together and said, "We better compromise it," and of the 80 names there were 40 stricken off.

Q. Who was it made that suggestion?—A. Mr. Wood and Mr. Aloe.

Q. How many names were stricken off?—A. Forty off of the 80.

Q. What 40 was stricken off?—A. I think there is a list of them somewhere; I could not say where.

Q. Those names were stricken off by direction of the election commissioners as a matter of compromise and without any investigation, other than that you and Grady were there and were denied admittance to the place?—A. We were denied admittance six different times.

Q. You went to this place six different times to make inquiries as to whether these men lived there or not?—A. Yes, sir.

Q. Did you have any conversation with the other election commissioners about these 40 names, or about these premises, or about these 80 names that you haven't told us about yet?—A. All that was spoken of by me was, Mr. Woods wanted to know why I was dissatisfied about the 80 names registered from that house. I told him there wasn't room enough to accommodate 80 roomers. That was about all he said to me about it.

Q. Did you agree to compromise at 40?—A. That was between the judges, Mr. Woods and Mr. Aloe.

Q. Do you know how they determined which 40 of the names should be allowed to remain on the registration list?—A. I could not tell you how they came to do that.

Q. Was that done in your presence?—A. Yes, sir; done in the commissioner's office.

Q. Did anyone make a statement there that all these men lived there and must be allowed to vote, either at that time or another time?—A. Why, I heard nobody say they lived there, except Grady. "To be sure," he says, "they live here."

Q. He said he was sure?—A. I said there wasn't room enough for that many people there.

Q. Coming back to the resumption of the voting—at about 4 o'clock on election day at this precinct, were votes received then after the new poll book came?—A. Yes, sir. After the books came, you said?

Q. Yes, at about 4 o'clock.—A. Well, before that we first took them on a sheet of paper, didn't make no name, just took them. We didn't know who voted and who didn't. Everybody voted that came except one Dutchman. He was the only man turned down.

Q. When a man came in and offered to vote did they look at the registration book?—A. They opened the book, but he voted all the same.

Q. Did they find his name on the poll book before they allowed him to vote?—A. I could not tell you that, because I didn't have the book.

Q. Who had the book?—A. Mr. Cosgrove and Mr. Boys.

Q. Were any entries made or record of the men having voted as they voted?—A. Not after the books was taken at noon.

Q. None of the votes, then, that were cast at that poll after this trouble at about noon were numbered as they were taken in?—A. No, sir; they might have been numbered, but there was no account of the man's name or residence or anything about it kept. I told Mr. Aloe there was no use for me to stay there. I wanted to go, so he said, "No, to stay." I said, "I have nothing to do."

Q. As the men voted was an entry made of it, made to show that he had voted?—A. Yes, sir. That was the clerk's.

Q. Did you make that entry?—A. Before they took the books?

Q. After 12 o'clock.—A. No, sir.

Q. After 12 o'clock no record was made of the men who appeared there and voted?—A. No, sir; not until night, when it was all over; then we took their names off the registration books and put it on this poll book.

Q. After the voting place had closed?—A. Yes, sir.

Q. You mean, then, they took this blank book—this blank poll book—and after

the polls closed took the names from the registration list and proceeded to fill the blanks in the blank poll book that had been brought there about 4 o'clock on the afternoon of election day?—A. Yes, sir; that's what was done.

Q. Were the polls, as they were put in the poll books, initialed?—A. I suppose they was; Mr. Cox done that.

Q. Were they numbered after the trouble at noon?—A. I could not say whether they were numbered or not. I didn't pay any attention. I hadn't much to do—had nothing to do.

Q. Were any arrests made at the time of this trouble or shortly after?—A. I didn't see any.

Q. Were any arrests made there that afternoon at all, so far as you know?—A. I didn't hear of none at all.

Q. Were the police there after 12 o'clock?—A. They were.

Q. How many?—A. Two.

Q. Did Sergeant Lally return again that day?—A. I didn't see him again that day; only seen him once that day.

Q. When the polls closed at night what was done by the judges and clerks there?—A. They done the same as anybody else.

Q. Tell us what they did do.—A. Fixed up the returns; sent them in.

Q. Who counted the polls?—A. Mr. Cox, Mr. Cosgrove, and the other Democratic judge.

Q. Were you present while the polls were counted?—A. I was there in the room.

Q. Were they assorted?—A. I think they were picked out and each candidate had his pile there.

Q. Then they were counted?—A. Yes, sir.

Q. Did you take part—were you permitted to take part?—A. I wasn't; didn't touch them.

Q. You were the only Republican among these officials?—A. I was.

Q. Where were you as to the table where the votes were piled out?—A. I would say at the right-hand corner of the table, and they were on the left. The table, I guess, was about 8 feet long.

Q. Now, did you examine these piles of ballots as they were piled up there?—A. No, sir; I didn't.

Q. Did you examine them at any time?—A. No, sir.

Q. You simply saw them sorted out and put in piles?—A. That's right.

Q. Did you try to examine them?—A. I didn't.

Q. You said you were excluded and prevented from taking part; how were you excluded?—A. When did I say so?

Q. I so understood it. You said you were prevented.—A. When did I say so?

Q. Did you take part in the ascertaining of the result of that election after the polls closed?—A. No, sir.

Q. Why didn't you take part?—A. I didn't feel that I had any interest in it; didn't feel that I was wanted; no show; everybody was at work, nothing for me to do.

Q. They apportioned the work out?—A. Yes, sir; each one had his work, and they filled the whole space.

Q. Who apportioned out the work?—A. The five men; I done nothing.

Q. They gave you nothing to do?—A. I had nothing. I wasn't ruffled about it.

Q. While the votes were being counted after the close of the polls who were present, if anyone, besides these five men that you have mentioned, the judges, the clerks, and yourself?—A. There was a man there; I didn't know his name, he had a whole lot to say about fixing it up.

Q. Fixing what up?—A. The returns.

Q. Did you hear his name at all?—A. I did not.

Q. What did he have to do with fixing up the returns?—A. Filled out this big sheet; I don't know what you call it. Directed them men what to do.

Q. Directed whom?—A. The other attendants there—the other judges and clerks.

Q. Did he assist in filling out the blanks?—A. He did.

Q. Did he assist to the extent that he actually, himself, with his pen wrote down something on these sheets that was to be afterwards signed by the judges and clerks?—A. Yes, sir.

Q. You don't know his name?—A. I don't.

Q. Do you know whether he was a Democrat or Republican?—A. I could not say what he was—just a man.

Q. There was no one else there but this man, no other persons besides the judges and clerks and this one man?—A. A policeman.

Q. Was he on the inside where the votes were being cast up?—A. He was.

Q. Did you know his name?—A. I didn't. The other one was in the hall on the stairs.

Cross-examination by Judge Bond:

Q. Mr. Smith, did I understand you to say that this little fracas which occurred or dispute about the right of some man to cast his vote took place about half past 12 o'clock?—A. You understood me to say it was about 12 o'clock or ten minutes after.

Q. Ten minutes past 12?—A. Something like that.

Q. As a result of that fracas one of the Democratic judges and two of the Republican judges retired from the voting place, did they?—A. They did.

Q. Some time thereafter, say about 3 o'clock, the voting was resumed, was it not?—A. It was.

Q. About 3 o'clock?—A. I guess.

Q. That was when the book was brought back, was it not?—A. No, sir; after that.

Q. Some time after that?—A. Yes, sir.

Q. The poll book was returned?—A. Yes, sir.

Q. Prior to the return of the poll book the voting was transcribed upon these sheets of paper, was it not?—A. Some had been checked off.

Q. For instance, four marks were made and then a tally mark. Was that the way it was done?—A. Yes, sir.

Q. You were there all the time?—A. I wasn't in the room all the time.

Q. You saw this notation of votes done by tally marks, did you not?—A. I did.

Q. You say the subsequent notation of votes was made after the return of the poll book, did you not?—A. After the polls closed that night I seen them writing down the names they took off the registration book.

Q. These two gentlemen who supplied the place of the two retiring Republican judges stated that they were Republicans, did they not?—A. They did.

Q. And in the subsequent proceedings they, like the other judges, put their initials on each ballot before it was deposited in the box?—A. I don't know; I suppose they did.

Q. You know nothing to the contrary?—A. No, sir.

Q. When these two gentlemen came in to supply the places of the retiring Republican judges, began to discharge their duties, did they not before that qualify by taking the oath, all of them?—A. The oath was administered by one of the other judges, Cosgrove, one of the Democratic judges.

Q. So that they qualified in that way, by taking the oath? You saw that done?—A. Yes, sir.

Q. You were right there, in close personal contact?—A. In the room, about 10 by 12 feet.

Q. Whatever happened under your own observation?—A. I seen it.

Q. What time did the polls close?—A. Seven o'clock.

Q. That was a regular closing hour, was it not?—A. I believe it was.

Q. There was no other disturbance after this little altercation that occurred about 10 after 12?—A. No, sir.

Q. No further violence of any sort?—A. Not that I seen.

Q. You were there the whole time?—A. I was.

Q. If it had occurred you would have seen it?—A. I would.

Q. You saw some one come into the room about the time the polls closed, whose name you do not know, who gave directions as to the formalities of making out the returns?—A. After they closed.

Q. When the judges were preparing to discharge their duties in the matter of making out their returns?—A. He did.

Q. And showed them how to do it?—A. He did.

Q. Pointed out what should be done?—A. Yes, sir.

Q. Aren't you satisfied that that man came from the election commissioners' office?—A. Am I satisfied? No; I am not.

Q. You don't know where he came from, of your own knowledge?—A. He came, they tell me, from the Franklin avenue place.

Q. Do you know of your own knowledge?—A. Yes.

Q. Where did he come from?—A. One of the proprietors of 1636 Franklin—that saloon; whether it was Reardon or Griffin I could not tell you.

Q. Do you know him personally?—A. I know him by sight.

Q. Do you know who he is?—A. I could pick him out.

Q. Is he in this room?—A. No, sir; he is not.

Q. Then you were mistaken in your examination in chief when you stated that you did not know who he was other than that he was a man?—A. I said he was a man.

Q. Did not you say that was all you knew about it?—A. So far as that goes, yes. I don't know his name yet.

Q. Didn't you say in explicit terms that all you could say was that he was a man and you knew nothing about it?—A. I don't remember.

Q. If you said that, it was true?—A. So far as I can remember.

Q. You have a good memory?—A. At times.

Q. At what times?—A. In time to take a drink and when to go to my meals.

Q. You have a good memory about drinking and eating?—A. Yes.

Q. You had no occasion to make a memorandum of those events?—A. Very seldom.

Q. You have had occasion to make memoranda?—A. Sometimes.

Q. As to which your memory is more treacherous?—A. Well, I wanted to be positive.

Q. I understand you have been consulting some little book in your pocket. Will you please tell me when you made writings on that book from which you have been reading to-day?—A. When I done it?

Q. Yes.—A. The 4th of December.

Q. Did you ever show these writings to the counsel on the other side in this case?—A. I never did.

Q. Ever talk to him about it?—A. I told him the names that had been voted.

Q. Did you give him copies of these writings?—A. I did not. Told him some of the names. Don't know whether he kept that or not.

Q. Why didn't you?—A. He didn't ask me.

Q. You wanted to tell all you knew about it?—A. I did.

Q. Who is Mr. Aloe?—A. He is an election commissioner, I understand.

Q. Do you know his name?—A. I don't know only that it is Aloe.

Q. Do you know what political party he belongs to?—A. I could not tell you that.

Q. You don't know him well enough for that?—A. I don't. He was introduced to me at the city hall: that's all I know of Mr. Aloe.

Q. All you know is his name is Aloe. You don't know what party he belongs to?—A. I don't.

Q. What was the time and occasion of his being introduced to you?—A. In the controversy about the checking off of those names, and he asked me, and Woods asked me, what was my objection.

Q. Who asked you?—A. Woods.

Q. What did Mr. Aloe ask you?—A. Mr. Aloe asked me the same thing.

Q. What did you say to Mr. Aloe?—A. I told Mr. Aloe my objection was I could not see the house and find out the number of rooms. There wasn't room enough for the 80 voters to live there.

Q. Your assumption of the number of rooms was largely guesswork, was it not?—A. No.

Q. You didn't go over the house?—A. Afterwards.

Q. You had concluded from an external inspection that this house would not accommodate 80 men, had you not?—A. Well, I did. I didn't think it could hold that many people.

Q. That was your judgment from the outside?—A. Yes.

Q. Up to the time you had seen Mr. Aloe you had made no personal inspection of the number of rooms of the house?—A. I had not.

Q. Your judgment was based simply upon your observation from the outside?—A. Yes, sir.

Q. Did you go around in the neighborhood and ask any of the people living in that vicinity as to who lived in that house?—A. Yes, sir.

Q. Did you make any comparisons based on their answers?—A. Some said such man lived there, some said they didn't know.

Q. Who went with you to see Mr. Aloe and Mr. John M. Wood, the election commissioner?—A. All the judges and clerks were present.

Q. What do you mean by judges and clerks? Do you mean two Republican judges and two Democratic judges and those two Republican clerks and the Democratic clerks?—A. Yes, sir.

Q. And you had this conversation with Mr. Aloe and Mr. Wood?—A. Yes, sir.

Q. These two gentlemen each put to you the question of your objection, as you stated, that that house would not hold the number of men? That is correct?—A. Yes, sir.

Q. And as a result of that conversation it was consented that 40 names should be stricken off?—A. Yes, sir.

Q. And that was done?—A. Yes, sir.

Q. And afterwards the registration was permitted to stand as 40 men from that locality?—A. Yes, sir.

Q. That was consented to on all sides?—A. Yes, sir.

Q. Before you had had this conversation, which you have just described, with Messrs. Aloe and Wood had you stricken off any of the names of men registered from that locality?—A. Had I? No, sir.

Q. Then the only names stricken off were those ordered to be stricken off by these two election commissioners after a conversation with the two Republican and two Democratic judges and the Democratic and Republican clerks?—A. Yes, sir.

Q. That was 40?—A. Forty from that house, from that number.

Q. Prior to this conversation at which this agreement was reached had you sent out any notice to any of the parties whose names purported to be those of voters registered to show cause why they should not be stricken off?—A. No, sir.

Q. You never did that?—A. Never did.

Q. At any time?—A. No, sir.

Q. You say you don't know Mr. Aloe?—A. Only by name.

Q. How long have you lived in St. Louis?—A. Fifty odd years.

Q. Are you a Republican?—A. Yes, sir.

Q. And don't know Mr. Aloe?—A. I don't know Mr. Aloe only by name and sight.

Q. Do you know him by reputation?—A. No, sir. I know Mr. Aloe as an optician up here. I have seen his name on the sign. Didn't know there was a man in existence like this man until I met him at the election commissioners' office.

Q. Well, now you were one of the two revisers of registration?—A. Three days I was out.

Q. What did you do during those three days?—A. Tried to place people where they were registered from.

Q. What were your duties as such reviser?—A. To see that such people lived at such numbers; who lived there.

Q. How did you perform that duty?—A. Went to their houses.

Q. What did you do when you went to their houses?—A. Asked who lived there.

Q. Noted the replies?—A. Yes, sir; asked who lived there and took out the list to see if such a man lived there. If we found him, all right; if we did not find him, we checked him off.

Q. When you came to this habitation that you have just described, what did you first do?—A. We went and asked.

Q. Who, you and Grady?—A. Yes, sir; we went into the saloon—could not get into the house—and rang the bell and could not get admittance, and we went into the saloon or the cigar stand there; a man came out to us and we asked him if he lived there, and he said he did; we asked his name and he told us. We asked him if he knew these men who lived upstairs, and he said he knew some of them. We asked him how many was rooming there and he said he didn't know. We wanted to know who ran the place; he said he didn't know. We called off several names and he said he knew them. Some of them he said he knew by sight and did not know them by name. Some of the names he said he had heard called, but did not know them personally, was not acquainted with them; that's all we got out of him.

Q. He himself was properly registered from that place, this man you saw?—A. Yes; he was one of our judges afterwards.

Q. A Republican judge?—A. No, sir; Heffernan, the Democratic judge.

Q. He was registered from that place?—A. I think so, sir.

Q. Who else did you talk to besides Heffernan?—A. A lady we caught at the door by one of our tricks; we went upstairs and talked to her; she said she did not know.

Q. How did you catch this lady at the door? Were you and Grady together at the time?—A. Yes, sir.

Q. So you got to see her?—A. Yes, sir.

Q. Where did she live, at 1636 Franklin avenue?—A. Yes.

Q. What did you say to her?—A. The same old thing, "Who lived there."

Q. What did she say?—A. Said she did not know; did not know how many she had.

Q. She lived up there herself, did she?—A. She run the house.

Q. Can you call her name?—A. I could not.

Q. Did she give it to you at the time?—A. If she did I forget it.

Q. You did not make any memorandum of that?—A. No, sir.

Q. Did you take up the list of persons registered at that locality and ask her if all of them lived in that house?—A. I did.

Q. And in substance I understand you to say that she did not know the names of all of them?—A. That's what she said.

Q. How many was she able to remember?—A. Three.

Q. How many others did she state she could not remember?—A. She did not state.

Q. You say she was the proprietress of the house?—A. She run the house.

Q. Was it a rooming house?—A. That was what she said.

Q. What you mean is a cheap lodging house; in that locality it would be a cheap lodging house?—A. Yes; not like the Planters.

Q. In that locality it would be a cheap lodging house?—A. Yes.

Q. How many did this lady say she had?—A. Said she didn't know.

Q. Did she say her house was full?—A. Yes; she said it was full. Sometimes they came and stayed a week, sometimes a day and was gone. She said she could not keep track of them.

Q. In other words, she had a house full, filled with a floating population—was that the idea?—A. I suppose that is what she meant.

Q. That was the idea she conveyed to you?—A. Yes, sir.

Q. Did you get any further information about the house except from her and Mr. Heffernan?—A. Yes; all I could find out.

Q. Now, you knew your duty as a reviser of registration?—A. It was known to me; I tried to do the best I could.

Q. Didn't you know it was your duty to strike off the names of all persons accredited to a certain house or place if you were unable to find that they lived there?—

A. There was where the controversy was.

Q. You did not strike out any?—A. We struck out 40.

Q. You didn't strike out any?—A. I did not.

Q. You reported the house would not hold them?—A. Yes, sir.

Q. And the two Democratic judges and Republican judges and clerks went before these election commissioners and you agreed that 40 should be stricken out, and that was done?—A. From that number; yes, sir.

Q. Did you report personally the name of any one of those persons registered there from that house as being entitled to vote from there?—A. Three.

Q. You reported three?—A. Yes, sir.

Q. How did you make that report—in writing?—A. No, sir.

Q. You did not make a written report as to any person whose name was registered there?—A. I did not.

Q. You never made a written report, did you?—A. I was not asked to.

Q. Did not do it at any time, to anybody?—A. No, sir.

Q. Was there a session held by the respective judges, the Democratic judges and the Republican judges, and the Republican clerks and the Democratic clerks, for the purpose of hearing complaints as to registration from that house?—A. At what time?

Q. At any time.—A. Not that I know of. I was at the place on Sunday.

Q. You always went there on Sunday?—A. Prior to the election.

Q. Now, the two visits you made to this house were on Sunday?—A. No, sir; we went there on a week day.

Q. And the other on a Sunday?—A. One on Sunday and Friday and Saturday.

Q. You were engaged in that work three days?—A. Not at that house.

Q. In that general work you were engaged three days. During those three days did you have a meeting of the judges and clerks to hear complaints as to registration from that house?—A. No, sir.

Q. In the casting up of the votes cast at this precinct 9, in the Fourth Ward, as to which you have testified, after the close of the polls, did anybody push you away or prevent you from looking at what was going on?—A. No, sir.

Q. You were right there, personally present?—A. I was there.

Q. Everything was done very openly and aboveboard?—A. So far as I could see.

Q. You were looking on all the time?—A. That's my business.

Q. You saw nothing but what was done openly and aboveboard?—A. It was all done plain what I seen.

Q. Did you sign the returns?—A. I did, sir.

Q. Why did you sign them if you thought there had been any wrong in the votes cast?—A. I was afraid.

Q. Afraid of what?—A. Afraid of getting killed.

Q. You say there was a couple of policemen there?—A. Yes.

Q. Did anybody threaten to kill you?—A. No.

Q. You just had an apprehension that you would be killed?—A. Yes.

Q. Did anybody tell you that if you did not sign those returns they would kill you?—A. No.

Q. Was there any threat of personal violence of any sort, manner, or kind made to induce you to sign them?—A. No, sir.

Q. None whatever?—A. No.

Q. You did sign them?—A. I did.

Q. And they went to the election commissioners' office?—A. Yes.

Q. You went with them?—A. I did not.

Q. Why not?—A. I had no right to go; I was a clerk. The Democrats took them down. I had no right to handle them after they left the office.

Q. You have lived in this town a number of years, have you not?—A. I have.

Q. Have you always been an adherent of the same political party?—A. I have.

Q. What is that party known as?—A. The Republican party.

Q. Have you been an active Republican?—A. No, sir; just would vote when they would let me. I have a great many Democratic friends who vote for me if I don't go to the polls.

Q. Do you know whether or not, prior to the last election, there was a rupture in the Republican party?—A. Do I know what?

Q. That there was a disagreement, dissension, in the Republican party?—A. I do not understand you.

Q. Do you know whether there was any disagreement among the Republican committeemen in St. Louis prior to the last election?—A. I don't know nothing about it.

Q. You did not hear of that?—A. No.

Q. Haven't heard of it since?—A. No, sir; I have not.

Q. Do you read the newspapers?—A. Once in a while when I get a chance; very seldom.

Q. There are several Republican newspapers in this town, are there not?—A. One.

Q. Which one is that?—A. The Globe-Democrat.

Q. How about the Star?—A. I don't know nothing about it.

Q. Did you see that?—A. Yes.

Q. You know the Globe-Democrat is a Republican newspaper?—A. They say it is.

Q. Do you read that occasionally?—A. Once in a while, when I get hold of it.

Q. You do not read it regularly?—A. No, sir; I do not; haven't got the time.

Q. Do you know how many nominees were undertaken to be put forward on behalf of the Republican party, or a section of the Republican party, prior to the election, for Congress?—A. I am not of very sound mind, and I hate to keep up with them. I don't try to get them all, to keep them all together.

Q. You do not know how many candidates for Congress on the Republican side were nominated in the Twelfth district prior to the last election?—A. I do not.

Q. Who are the Republican nominees for Congress in the Twelfth district in the last election?—A. Mr. Wagoner, I suppose. He was the Republican.

Q. What do you call Mr. Lofhagen. Wasn't he nominated?—A. I could not tell you.

Q. You never heard of his being nominated?—A. I could not tell you.

Q. Don't you know that first Lofhagen was nominated for the long term in the Twelfth district and Mr. Wagoner is said to be nominated for the short term, and Mr. Reynolds for both terms, and that subsequently, in some way, Mr. Wagoner claimed to be nominated for the short term and Mr. Reynolds for the long term?—A. I do not know a thing about it, short nor long.

Q. Which term was Wagoner running for?—A. The short term, I think.

Q. Are you sure of that?—A. I ain't positive of it. I pay no attention to politics whatever.

Q. Who had you appointed clerk of election?—A. I could not tell you that even.

Q. Who are you informed had you appointed?—A. I don't know as I remember.

Q. Who is your central committeeman?—A. Mr. Walker, I suppose.

Q. Did he have you appointed?—A. If he did I didn't know anything about it.

Q. Do you know him?—A. I know him when I see him.

Q. Who gave you your instructions as to your duties as clerk of the election?—A. I got none.

Q. Didn't you attend a meeting of the Republican judges and clerks prior to the election in order to ascertain your duties as clerk?—A. I did not.

Q. Then you had no instructions at all?—A. No, sir.

Q. Did you go to the election commissioner's office to ascertain what your duties were?—A. They told me what they expected me to do.

Q. When did they tell you?—A. The 31st day of November.

Q. Were you sworn in at the time?—A. Yes, sir.

Q. You received the oath, did you not?—A. Yes, sir.

Q. That is all you know about it?—A. I understand there was to be a meeting where they were given instructions on a Sunday. I was tied up at the election commissioner's office that day; I didn't go there.

Q. In other words, you did not attend the meeting?—A. No, sir.

Q. You do not know what took place?—A. I do not.

Q. You did your duty as you best knew how?—A. I did.

Q. According to your oath?—A. Yes, sir.

Q. Where was this meeting of the judges and clerks on the Republican side held, on this Sunday, to which you make reference?—A. I understand it was to be held on Vandeventer avenue somewhere.

Q. In this city?—A. In St. Louis.

Q. Was it at what is known as the St. Louis Republican Club?—A. I could not tell you that.

Q. What Republican clubs do you belong to?—A. None; nor any other club.

Redirect examination by Mr. RICHY:

Q. You said in your cross-examination that the poll book was returned, the one that was taken away about 12 o'clock?—A. I said new ones was returned in the place of that one.

Q. The one that was taken away was not brought back?—A. No, sir.

Q. But a new one without any names in was brought back?—A. A blank book.

Q. You spoke about Kinney voting at that election. Was Kinney back with the judges and clerks during the forenoon? Was Kinney with the judges and clerks before the trouble began, about 12 o'clock?

(Objection was made by counsel for contestee that this question did not relate to the cross-examination.)

A. Yes, sir.

Q. How long was he in where the judges and clerks were conducting the election?—A. I guess he was there three quarters of an hour.

Q. What was he doing?—A. Looking over the registration books; a man I was told was named Kinney.

(Same objection.)

Q. Did he handle the poll books?—A. Yes, sir; he turned the leaves there on the table.

Q. And conducted himself just as the judges and clerks did and had the freedom of the place as the judges and clerks did?—A. Yes; I thought he belonged there.

Q. Because of what he did?—A. Yes, sir.

Recross-examination by Judge BOND:

Q. Didn't you know this gentleman named Kinney at all?—A. Only as he was pointed out to me as Kinney.

Q. You never saw him before?—A. I have seen him before and seen him since; see him every day.

Q. Did you attempt at any time during election day or since to swear out a warrant, or to give information upon which a warrant could be issued, against any person for doing any act on election day which indicated improper conduct on his part?—A. No, sir; never in my life swore out a warrant for anyone.

Q. Have you been before the grand jury?—A. No, sir.

Q. There have been several grand juries since the election?—A. I believe there have.

Q. You have heard of meetings of the grand jury?—A. Yes, sir.

Q. You made no request to be allowed to go before the grand jury and testify?—A. No, sir.

Q. Did you ever offer your services?—A. I went there once and they were busy and I didn't go any more.

Q. Who did you see?—A. Didn't see nobody but a clerk.

Q. What do you mean by a clerk?—A. I went to see the prosecuting attorney.

Q. Did you see him?—A. No.

Q. Do you know who he is?—A. Mr. Folk.

Q. Did you go to his office?—A. I did not.

Q. Have you tried to see him since?—A. No, sir.

Q. Have you written him?—A. No.

Q. Have you given to any other official any information as to these matters going on here to-day?—A. No, sir.

Q. Who sent you to see Mr. Bates?—A. A Republican friend of mine.

Q. What is his name?—A. C. F. Bates.

Q. Who is Mr. Bates?—A. C. F. Bates.

Q. What is his business?—A. Furniture and storage, moving and packing vans.

Q. What other business has he?—A. None that I know of.

Q. Is he a money lender?—A. Not this Bates; no, sir.

Q. Where is his office?—A. At 1723 Morgan street.

Q. Is that the Fidelity Storage Company?—A. Yes, sir.

Q. Where you are employed?—A. Yes, sir.

Q. Has he an office at Nineteenth and Pine streets?—A. He has not. He is always up there.

Q. Does his brother conduct an office there?—A. I suppose he does.

Q. Do not they office together?—A. I never saw C. F. Bates there.

Q. Aren't they both engaged in money lending?—A. Only in the furniture business.

Q. Is that all?—A. That's all I know.

GUSTAV SCHMIDT, a witness, being produced, sworn, and examined, on the part of the contestant, testified as follows:

By FRANK E. RICHEY:

Q. Your name is Gustav Schmidt?—A. Yes, sir.

Q. You live at 1616 Franklin avenue?—A. Yes, sir.

Q. In the city of St. Louis, and the Twelfth Congressional district, ninth precinct, and Fourth Ward?—A. Yes, sir.

Q. You were one of the Republican judges at the election on November 4?—A. Up to noon.

Q. Why do you say, up to noon?—A. Because I asked for protection to be carried home. Because I was beat up with revolvers and was struck over the head with revolvers, blood running down my face, I was kicked in the stomach, my limbs were skinned from my feet up to my knees, and I was all beat up; in fact, I was unconscious at the time. I wasn't able to go home by myself, so I asked for a police officer to assist me to my home, which he did. There I rested a few minutes, my wife washed the blood off my head, then I went to the doctor at Seventeenth and Franklin, who washed my head with carbolic acid, bandaged up my head, sent me to my home to go in a dark room and go to bed. I was confined to my bed until the following Friday afternoon; then I went over to him again to examine my head. He told me I better go for a little fresh air for strengthening. I took a car ride about twenty minutes, went back to my home, went right to bed again. I felt too weak to stand on my feet. I stayed in bed until Saturday morning about 10 o'clock. I got up, took a car, went down to the place where I was employed, to notify them I was coming back to work Monday morning.

(Counsel for contestee made the request that other witnesses that were summoned be excluded from the room during the taking of testimony.)

Counsel for contestant answered that the rule regarding the exclusion of witnesses, did not apply to civil cases of this nature.

Counsel for contestee called attention to the fact that there were at that time six witnesses in the room called for to-day listening to the witness who is testifying.)

The witness resumed:

I went down to my work, I was expecting to go back to work on Monday morning. Course I was weak, but I tried to go. The way this trouble started, first out of the registration. The one that registered, I detected on the day of registration, brought in the poll books against the laws of the State of Missouri for any name to be scratched on the register and another entered up in its place. This is done all through the books and they are mutilated and in fact changed. In fact changed the law of the State of Missouri. Furthermore, I detected fraud. In front of my own name is R. I detected a big R in the books branding me as Republican. Mr. Mertz was branded a Republican in front of his name and several others the same way, and this registration was wrong. I detected at the house, 1636 Franklin, 81 registered, while Griffin, the delegate for our ward, he is running a saloon there. There was 81 registered out of that house. There was 24 registered at 1729 Lucas, which is not in existence at all, is no such number as that, and at 1626 Morgan street there was 11 registered, which I canvassed myself and was in the house, found 5; 6 not to be found. The owner of the house stated to me they never lived there.

Q. How many did not live there?—A. Five out of the 11.

Q. Those you did not find?—A. Six I did not find; five I found.

(Counsel for contestee called attention to the fact that a colored man was taking notes in the back of the house.)

The man stated that he was writing a note to a gentleman in the room whom he had come to see.)

Witness resumed.

I asked the judges and clerks—Republican and Democratic judges; I said, "Gentlemen, will you do your duty as judges and clerks?" I said, "What results did you get out of the house 1636 Franklin?" They answered me, "They are all there." I knew better at the time; I asked him in regard to 1636 Morgan; I got the same answer: 1729 Lucas, the same answer; so I refused to sign the books. I was going before the election commissioners; I believe it was on Friday—I am not quite certain—to the best of my knowledge, I refused to sign the books.

Q. That is, the registration book?—A. I asked the clerks if they sent out any notices; they told me, "No," so I refused to sign the books. I was called before the board of election commissioners; in fact, all of us was called there on Friday; I came in and the balance of the judges and clerks of both parties was there, and I was asked by Judge McCaffery, a Democratic member, asked me the reason why I would not sign. I asked Mr. McCaffery if he wanted me to commit a barefaced fraud by signing such a fraudulent book? He says, "Where is the fraud?" I showed it to

them. I showed the names erased; other names put in the place, which you can see, and that changes the constitution of the State; so he would not agree to that, and I kept on wrangling with him and I would not sign the book; so they told us to go outside, and we went; in about fifteen or twenty minutes I was asked again to sign them; I says, "No;" so Mr. McCaffery says, "What do you want?" I says, "I want a re-canvass of that whole precinct and the Republican clerks discharged at once;" that was granted; we got a new Republican clerk and the canvass proceeded; then we were called before the board of commissioners in Sunday morning at 10 o'clock, previous to the election; we went over the books; I handled the register of the Democrats; the Democratic judge handled the Republican register, and it was a duplicate of the Republican; we read off the names—I done it myself—and we went over every one, and kept a tally of 1636 Franklin, and made sure that these 81 names were on it. I have the tally here that I kept; the same at 1729 Lucas, and several others; he read the names off after we got through. I says, "Gentlemen, what do you propose to do with them 81 names at 1636 Franklin?" They said, "We propose to leave them on the books."

Q. Who did?—A. Both the Democratic judges. I says, "I will not sign those books."

Q. Do you mean the Democratic judges?—A. Yes; they wanted to leave the names on.

Q. Or do you mean the commissioners?—A. No; I mean the judges. So I refused to sign them again. We went before Mr. McCaffery, chairman, and he says, "This is the last chance you get." He says, "This fuss has got to stop; I get sick and tired of you." I looked him square in the face and he showed it, so he hit his hand on the table like this and commenced using language that didn't suit me as a respectable citizen of St. Louis. I refused to sign the books again, so we kept on and kept on until the commissioners got Mr. Louis P. Aloe to come to me and he says, "Mr. Schmidt, they will agree to make a compromise and take off 40 names." I said, "I want that whole 81 off unless they show they live there—unless they show me the proof that they live in that house. They have got to agree to that." Finally, I says, "If I do sign these books, it will be under protest; outside of that I will not sign it." The book was signed. He went away again; I went to my home. In the evening I was standing in front of my home talking with a lady; Reardon comes by my home and he had a woman along and he took her and knocked me up against a plate-glass window. I told him I can not expect nothing from a hog but a grunt. That's the very words I told him. I didn't consider him nothing.

Q. He is one of the proprietors of 1636 Franklin?—A. Yes; the other is Nick Griffin. I didn't say any more but went to my home. My wife says to me, "Stay away." I says, "I can not; I am appointed by law. I have to go through with it." (All this is objected to by counsel for contestee.)

Witness resumed:

I didn't want to serve, but I was appointed and had to serve; no getting out of it. I felt all the time —

Q. Never mind how you felt. You were present at this ninth precinct and Fourth Ward when the polls opened upon election morning?—A. Yes, sir.

Q. You received the polls?—A. No, sir; I only had the book.

Q. Do you know Mr. Kinney?—A. Well, he was pointed out to me on the street as "Snake" Kinney. I addressed him as such and he didn't deny it.

Q. Did you see him at this polling place on election day?—A. Yes, sir.

Q. Whereabouts?—A. Standing alongside of the Democratic judge handling the books.

Q. Who handled the books?—A. "Snake" Kinney and Cosgrove.

Q. How long was "Snake" Kinney in there standing by the side of the Democratic judge?—A. About three-quarters of an hour, to the best of my knowledge. He led the gang; they commenced beating us as soon as he came in.

Q. This "Snake" Kinney came into the polling place, came back where the judges and clerks were?—A. Yes, sir.

Q. Did you make any protest?—A. I made a protest; it didn't do any good.

Q. What did you say?—A. I told them nobody who is not an officer has to handle the polls and has to get out. The door was blocked off and I could not get near the policeman.

Q. What did Cosgrove and the other Democratic judge do?—A. Nothing at all; just showed him all the books and the names in it.

Q. He took part in the election?—A. Yes, sir; in fact, they voted some three or four times right in front of my face. I says, "Kinney, you know this is fraud." He says, "You are mistaken." They voted three or four times in front of me.

Q. That was done in the presence of "Snake" Kinney and under his protection?—A. Yes, sir.

Q. The repeating you speak of, by that you mean a man who voted more than once, began voting after "Snake" Kinney came in there?—A. Yes, sir.

Q. How long did it keep up?—A. About a half hour, until I closed the book and I said I will not enter another name in this book; so then the Democrat who handled the poll books says, "Well, there is no use in going ahead with this thing if you fellows refuse to initial the polls."

Q. That is, if the Republicans refuse to initial the polls, refuse to put their initials on the back of the polls?—A. Yes, sir. About fifteen minutes the door flew open, Sergeant Lally goes over everybody with his hands. He searched me and went out and held his face like this: He says, "If any shooting is going to be done here the police is going to have a hand in it."

Q. That is when you were one of the judges and at the table where the poll book was and were performing their duty?—A. Yes, sir; I seen it myself, and it was not five minutes before I was down. I was knocked down by the crowd around the door.

Q. When he got to the door did you see him make any statement?—A. No; I didn't. They came rushing in; one man went over the table like this where the poll books was and the Democratic judge was and had run behind it. No possible chance for any man to get there unless the Democratic judge gave him a chance to get there. I seen this fellow going behind the table and made a grab at him. I says, "You stay outside of this railing; you have no business in here, and by that he hit me in the mouth. As soon as I got that lick I grabbed him, and the other fellow got on the table and hit me with a gun.

Q. Who was it hit you with a gun?—A. I could not tell.

Q. Who was it hit you with a fist, one of this gang that rushed in?—A. Yes, sir.

Q. Was "Snake" Kinney there?—A. That was something I didn't see at the time.

Q. How long did you remain unconscious?—A. Say about ten minutes.

Q. What time in the day was that?—A. That was about 12 o'clock or ten minutes after.

Q. You left the place then?—A. I left the place, I had to; I could not go alone, I had to have assistance.

Q. Who assisted you?—A. A policeman.

Q. What policeman?—A. His number is 538.

Q. Is that the policeman that had been in the room when "Snake" Kinney came in?—A. Yes, sir.

Q. Where was this policeman when the gang made this rush on the judges?—A. To the best of my knowledge he must have been in the hall.

Q. Where was the policeman when this man struck you in the face?—A. That is something I could not tell you; I guess he was outside.

Q. Did you go back to the polling place that day?—A. No, sir; I could not.

Q. You did not sign the returns from that precinct?—A. I did not.

Q. How many came in there with this gang at the time you were struck?—A. There must have been 30 or 40; as many as could crowd in the room; just as much as I could see.

Q. Was anybody else struck?—A. I seen one lick on Mr. Mertz; that is as far as I remember.

Q. He was the Republican judge?—A. Yes.

Q. Did they hit Cosgrove, the Democratic judge?—A. No, sir; not to my knowledge.

Q. Did they hit Heffernan?—A. Not to my knowledge.

Q. Did they hit Grady, the Democratic clerk?—A. Not that I know of.

Q. Do you know whether they hit James H. Smith?—A. No, I do not know.

Q. I now show you a paper purporting to be the list of registered voters for the Fourth Ward and ninth precinct, dated October, 1902, and initialed by the notary "J. T. S.," and call your attention to the registration at No. 1636 Morgan street, and ask you how many are registered, or how many names appear on that registration sheet from that number?—A. There are 11 on here.

Q. Now, then, do you know how many of this 11 live at that number, 1636 Morgan street—how many voters?—A. Those of them scratched on the list; they are not supposed to be on that list at all.

Q. How many were properly registered from that number?—A. Only 11, and only 5 of them belong there.

Q. How many were properly registered from that number?—A. Five.

Q. Do you know which five?—A. Yes, sir.

Q. Name them.—A. Charles T. Boys, H. M. Cox, J. Brandon, W. Reed, T. H. Reed. That's all; they are all on the books; the balance is scratched.

Q. These persons whose names you have read were entitled to registration at 1636 Morgan street?—A. Yes, sir.

Q. And the other six names that appear on this registration list were not entitled

to vote from that number and did not live at that place.—A. Did not live there by the owner's statement in front of these judges in the polling place.

Q. And that investigation was made by you?—A. This investigation specially was made by me; yes, sir; because I knew the clerk I had discharged, in place of canvassing was hanging about the saloon; when he was supposed to be canvassing he was hanging about the saloon.

Q. Do you know John Luby, registered from 1620 Franklin?—A. Yes, sir; he is registered under a false name; his name is J. Struby. He is barkeeper for Reardon & Griffin; tends bar for them.

Q. Keeps bar for them at 1636 Franklin?—A. Yes, sir; at the time of the election. I don't know if he is there now or not.

Q. What do you say his correct name is?—A. John Struby. He can be found on the hospital records. Sergeant Lally beat him for firing a shot at me about a year ago.

Q. Did you make any objection on election day to John Luby voting from 1620 Franklin?—A. Yes; I objected.

Q. Was Mr. Heffernan the Democratic judge at that precinct at the time you made that objection?—A. Yes; he is the night barkeeper at this same place.

Q. Where J. Struby is employed?—A. Yes, sir.

Q. What objection did you make to Struby being permitted to vote under the name of J. Luby?—A. I says, "When did you change your name from Struby to Luby?" He says, "My name is Luby," and he registered; and I says, "You must have changed it right quick; your name is Struby."

Q. He was acting as Democratic judge?—A. Acting as Democratic judge with Heffernan.

Q. The man Smith who was discharged as the Republican clerk in that precinct was Thomas J. Smith from 1731 Morgan, and not J. H. Smith who testified here this morning. I am right about that, am I?—A. Yes, sir; you are right.

Cross-examination, by Judge Boyd:

Q. What is your business?—A. My business is a cooper for the Carleton Dry Goods Company.

Q. Making boxes?—A. Repairing boxes and closing after they're packed.

Q. You do that with a hammer?—A. With a hatchet.

Q. Your business is to secure boxes with a hatchet and nails, so you would term yourself a kind of a cabinetmaker?—A. We don't make any cabinets; it is all rough work.

Q. Where do you live?—A. 1616 Franklin.

Q. What other business are you engaged in?—A. No other business.

Q. How long have you been engaged in that business?—A. Five years with that house.

Q. How long have you lived where you are?—A. I have lived in that block between five and six years; in the present house I lived four years, and two years at 1608; positively five years I lived in that block.

Q. You are not on the friendliest terms with your neighbors?—A. Oh, always.

Q. Mr. Griffin never had anything against you, nor Mr. Reardon?—A. Nothing against me only he keeps a disorderly house.

Q. He keeps a saloon?—A. I give you the reason, because my wife was insulted by his gang around there. There is no decent lady can pass there to go to the butcher shop without being insulted. I don't associate with any such people as that; they are beneath me.

Q. You don't like him?—A. I have nothing against him.

Q. You are not a friend of his?—A. I could do him a friendly turn to-morrow.

Q. He has not asked you to do him any?—A. Well, it wouldn't do him any good if he did.

Q. Who appointed you judge of election?—A. The election commissioners.

Q. In precinct 9, Ward 4?—A. The election commissioners.

Q. Who was it?—A. Louis P. Aloe and John M. Wood.

Q. Who is Louis P. Aloe?—A. I believe an optician down here.

Q. Is he a Democrat?—A. He is a Republican.

Q. What kind of a man is he?—A. I don't know anything about what kind of a man he is, because I never associated with him that far.

Q. What is his character?—A. I never heard anything against him as a man; never seen anything.

Q. All you know is he is a consistent Republican?—A. Yes; otherwise he wouldn't have been appointed, I suppose.

Q. Did you appear before Mr. Aloe and his associates on the board of election

commissioners with reference to some complaint as to registration at the premises 1636 Franklin?—A. I did.

Q. Who else was present?—A. They were all of them there.

Q. All of the Republican judges?—A. Yes.

Q. And the Democratic judges?—A. Yes.

Q. The Republican clerks and the Democratic clerks?—A. Yes.

Q. As a result of that, and after hearing the complaint, was it not agreed and consented to that 40 of the names which had been registered from that house should be stricken out?—A. Against my protest. I signed it against my protest and I made protest.

Q. That was your mental reservation?—A. Exactly.

Q. But your signature doesn't show your mental reservation?—A. It doesn't have to.

Q. The fact is, you did not put anything there to indicate any mental reservation?—A. No.

Q. In other words, your book was signed as if you fully agreed?—A. Yes, sir.

Q. You all went away satisfied?—A. I didn't go away satisfied.

Q. In your own mind?—A. I wasn't; in my own mind I was dissatisfied.

Q. But as far as the paper is concerned there is nothing to show that you were dissatisfied.—A. The names on the books is there.

Q. There is no writing by you showing that you were dissatisfied.—A. I didn't put that down; we aren't supposed to do that.

Q. You didn't put it on any other paper and tack it on?—A. Not exactly; there was no time for it; I had to go home to dinner. We stayed from 10 in the morning until 3 in the afternoon.

Q. There was an election held on the 4th of November?—A. Of course.

Q. You were one of the Republican judges?—A. Up until noon.

Q. If I understand you, about that time there was some disturbance?—A. Yes, you might say a killing.

Q. Was anybody killed there?—A. I came very near to it.

Q. Outside of yourself, anybody else?—A. There was more than one disabled; it was like a killing; there was more than a disturbance.

Q. You were the worst hurt?—A. I was.

Q. Nobody was killed?—A. No, but pretty near.

Q. You were the worst hurt?—A. Pretty bad hurt.

Q. Some person came in the room and you made a rush for him?—A. Oh, no.

Q. He struck you in the mouth and then another man on the head?—A. Wait a minute. No; the way it was, the gang rushed in there behind the railing beside the Democratic judge. I says, "Get outside of the railing; get outside of the railing."

Q. You waited until they all came out, and you took occasion to grab him?—A. I did one; I seen I had to. I was trying to protect my life. I says, "Stay outside!" Then I grabbed him; then I was struck over the head with a gun.

Q. Did not that arise out of your objection to somebody's right to cast a vote?—A. That was done before.

Q. Did not that bring on this disturbance?—A. I suppose it did.

Q. This person insisted that he had a right to vote?—A. Yes.

Q. You denied it?—A. Yes. He voted before, never went outside, and wanted to vote again; of course, I objected.

Q. Didn't the man tell you he had never voted before?—A. They all tell you that.

Q. Every one of them told you that? Which Democratic judge went away with you when you retired?—A. No Democratic judge went away with me.

Q. Didn't you say J. H. Smith did?—A. I didn't testify to what J. H. Smith did.

Q. Didn't you hear him say that?—A. That didn't include me.

Q. Did you hear him state that?—A. I refuse to answer.

Q. Did you know who that Democratic judge was?—A. I knew.

Q. What was his name?—A. Heffernan.

Q. He did not come back?—A. I don't know; I was not there.

Q. Who took you away, an officer?—A. An officer.

Q. Did he take you away kindly?—A. I guess he had to. When a man is half dead you can't be unkind to him.

Q. He didn't mistreat you?—A. He couldn't mistreat a man all cut up.

Q. Did you walk by him?—A. Yes, I walked away.

Q. He didn't take you in an ambulance?—A. Didn't take me in an ambulance. Didn't have to have an ambulance. It is only a short distance.

Q. You were able to walk this distance?—A. I was; the distance is very slight.

Q. He was very kind to you?—A. Yes.

Q. He did not strike you?—A. Had no occasion.

Q. He had nothing to do with that in the house?—A. He had that much to do with it that he gave them fellows a show to beat us up.

Q. Why did you ask him to go with you?—A. Because I needed protection.

Q. Did you think he was a safe man?—A. Why, I wouldn't ask him to go with me if I didn't think he was a safe man.

Q. You trusted him to take you home?—A. I was powerless at the time.

Q. He took no part in the disturbance?—A. He gave them a show to do the trick.

Q. He was not in the room?—A. He was outside; he knows all about it.

Q. He knows all about it?—A. Well, what does he need to go out for? He is an officer doing his duty.

Q. You did not ask him to stay?—A. Didn't I? I asked him four times to make an arrest, and he didn't do it.

Q. You didn't ask him to stay in the room?—A. I didn't then; the door was locked.

Q. So he was outside?—A. He walked out as soon as they rushed in.

Q. Didn't you swear that you supposed the officer was in the hall; that you didn't know where he was?—A. I seen him go out when the crowd rushed in.

Q. After he completed his work, he left; after the fight?—A. He went out to give them a show to do the dirty work.

Q. Nobody struck a blow while he was in the room?—A. No.

Q. When he left, the room was perfectly quiet?—A. Well—

Q. Then this all arose after he left?—A. He went out to give them a chance to do their dirty work.

Q. Don't you think you have worked that out in your own mind?—A. I do not work out anything.

Q. You really didn't see the officer go out and send them in?—A. I seen him go out by the door.

Q. And after while some men came in?—A. They came in as quick as they could.

Q. While he was in the room it was perfectly quiet?—A. I seen men crowded around the windows to come in as soon as he came out.

Q. You didn't ask him to stay?—A. I hollered several times.

Q. You could not see him?—A. No.

Q. You think he went out to allow other people to come in?—A. Most undoubtedly.

Q. That is your suspicion?—A. Any man with good sense can see that.

Q. That is your suspicion?—A. I don't have any suspicions; they are facts.

Q. If you wasn't in with the gang, what business has an officer to go out of that polling place from five to ten minutes, and go to the saloon and get a cigar? Did you see what he did on the outside?—A. I seen him go in and out of the saloon. I seen him, myself.

Q. And did not ask him to stay in the room?—A. I did not.

Q. Why didn't you ask him?—A. Why didn't I ask him? When I asked him to make that arrest he said he couldn't do it. I didn't ask him anything. There was no use asking him any more.

Q. Who was this man you asked him to arrest?—A. This gang of repeaters.

Q. Who was in this gang?—A. I can not tell you any names.

Q. Which man did you point out?—A. I can not tell you now.

Q. Did you point him out?—A. I says, and pointed to the man, "Officer, take him out."

Q. Did you do that?—A. I did, four times.

Q. Which man?—A. I can not tell you. The fact is, I don't know them people at all; they are all repeaters and Indians, toughs, entthroats—that's what I call them.

Q. Who was the other Republican judge?—A. Mertz.

Q. Where is Mr. Mertz?—A. He is sitting there.

Q. In this room?—A. Yes.

Q. Who did Mertz ask him to arrest?—A. Don't know.

Q. Did you talk with Mr. Mertz at all?—A. Not at all.

Q. Did you talk with Mr. Mertz?—A. Not on that subject.

Q. Did you go up to the man that you wanted arrested and point him out?—A. I didn't get up; I raised out of my chair, and I says, "Arrest this man." I didn't have to get up. He says, "I can not do it," and I told him that four times.

Q. Why?—A. Because I knew he was a repeater.

Q. What charge did you lay against the man?—A. Repeating.

Q. How long have you been a Republican?—A. About fifteen years.

Q. How long have you been in this country?—A. Since 1879.

Q. You were here some time before you were a Republican?—A. Oh, no; well, I was in the United States Army some time.

Q. When you came out you were a Republican?—A. That didn't make me a Republican. My own sense and judgment made me a Republican—my own instinct. Nobody made me a Republican but my own mind. What I see going on around me made me a Republican.

Q. Do you belong to any clubs?—A. To one.

Q. What club?—A. The Merchants' League Club.

Q. Is that a Republican club in this town?—A. It is supposed to be. I have quit it now.

Q. You quit it because it was not strong enough?—A. I quit it because I didn't feel like leaving my home nights or any other time. I am so now that I am always in my home. I don't feel like going to any meetings. I stay in my home.

Q. Do you know something about the party history before this last election?—A. From what I read.

Q. Do you read any of the newspapers?—A. I read the Chronicle. That is a non-partisan paper; that's the reason I read it.

Q. Don't you know there is an excellent newspaper in this city, called the "Star"?—A. I have read some of them.

Q. Don't you know there is also another high-class journal, called the "Globe-Democrat"?—A. I read it occasionally.

Q. But you read the Chronicle steadily?—A. Yes; and I read the Republic once in a while.

Q. The Chronicle is your steady reading?—A. That is my prominent paper.

Q. Did you know that Mr. Lofhagen was nominated for the short term?—A. I certainly did.

Q. And who was nominated for the long term?—A. Mr. Reynolds.

Q. Who else was nominated for the short term?—A. George Wagoner.

Q. Who else?—A. That's as far as I know.

Q. You know these three men were nominated—Lofhagen, Reynolds, and Wagoner?—A. Yes sir.

Q. Who was running for the short term for the last election?—A. George Wagoner.

Q. Who was running for the long term?—A. Reynolds.

Q. What became of Lofhagen?—A. Lofhagen stepped out, from what I read in the newspaper.

Q. Was that in the Chronicle?—A. Yes, sir.

Q. That Mr. Reynolds was nominated for the short term?—A. I don't know anything about it.

Q. Don't you know the action of this convention in nominating these two gentlemen and retiring one brought about a great deal of feeling in the Republican party?—A. I don't know.

Q. Do you know anything about the Republican committee in this town?—A. No.

Q. Do you know any of the members?—A. Yes.

Q. Which one?—A. Robert Walker.

Q. Do you know him pretty well?—A. No.

Q. Which side did he take?—A. I don't know.

Q. Is he a Silk Stocking?—A. I don't know.

Q. Don't you know there was a split, and as a consequence a new candidate was appointed?—A. That is new to me.

Q. You don't know anything about any dissensions of the Republican party at all?—A. No, sir; that is new to me.

Q. Who was Lofhagen?—A. I don't know. I heard he was an instructor in the Manual Training School.

Q. Who nominated him?—A. I can not say.

Q. Where did your paper say he was?—A. I don't know.

Q. Do you know how he got his nomination?—A. I don't know.

Q. Do you know nothing about the split in the party?—A. No, sir.

Q. Don't you know there was a great deal of dissatisfaction on the part of some of the committeemen?—A. No, I don't.

Q. Don't you know a good many Republicans felt hurt about it and didn't feel like supporting the ticket?—A. I didn't hear anything about it.

Q. Don't you read the newspapers?—A. Course I read the newspapers.

Q. Don't you know there is a suit now pending with reference to which committee should be recognized?—A. I don't know anything about it at all. As far as the newspapers goes, I believe it as far as I see it.

Q. You would not care for what you saw in the newspapers, that would not influence your mind?—A. I don't think it would.

Q. What was Lofhagen nominated for?—A. I believe for Congress for the short term.

Q. Wasn't he nominated for the long term?—A. I don't know.

Q. How did Wagoner get him out of the way?—A. You must ask Wagoner that question.

Q. What was Reynolds nominated for?—A. For the long term.

Q. Don't you know that a good many Republicans voted for the Democratic nominee for the short and long term?—A. I don't know.

Q. Didn't you see them?—A. No; never watched them, was too badly beat.

Q. Can the clerk see the whole thing?—A. I don't know anything about it.

Q. The ballots are folded up and the initials of the judges are put on them?—A. Yes.

Q. How can a clerk know what ticket a man votes?—A. I can not answer you that; I didn't see it.

Q. You didn't see these Republicans vote for the Democratic nominee?—A. I didn't know very much about it; how can I, when I was lying in bed, half dead.

Redirect examination by Mr. RICHY:

Q. You say you saw this policeman go into the saloon?—A. Yes, sir.

Q. You saw that there where the polling place was?—A. Yes.

Q. Then, that saloon was open?—A. The side door was open next to the polling place.

Q. So that people could go in and out?—A. Yes.

Q. You saw the policeman going in and out there at times?—A. Yes.

Q. I will ask you if Mr. Wagoner was not the only Republican candidate for Congress for the short term in the Twelfth Congressional district?—A. He was the only candidate for office.

Q. For the short term?—A. Lofhagen was out.

At this point, adjournment was taken until 2 o'clock p. m.

ST. LOUIS, MO., *December 16, 1902.*

Met, pursuant to the last adjournment, at 2 o'clock p. m. at the same place.

Parties present as before.

PAUL MERTZ, a witness, being produced, sworn, and examined on the part of the contestant, testified as follows:

By C. W. HOLTCAMP, Esq.:

Q. Where do you reside?—A. At 1606 Franklin avenue.

Q. Please give the precinct, ward, and Congressional district in which that place is situated.—A. The ninth precinct, Fourth Ward, of the Twelfth Congressional district.

Q. I will ask you to state whether you were residing there on the 4th of November last or not.—A. Yes, sir; since two years ago.

Q. Were you in any way connected with the election held on that day in your precinct?—A. I was a Republican judge.

Q. One of the Republican judges?—A. Yes.

Q. Who was the other?—A. Gustav Schmidt.

Q. The gentleman who testified this morning?—A. Yes, sir.

Q. Did you have anything to do with the registration in that precinct?—A. I was there and they could not agree.

Q. Where were you?—A. At the place, the polling place, 816 North Seventeenth street.

Q. When was that?—A. That was Saturday.

Q. Preceding the election?—A. No; before the election. It was about a week ahead of the election.

Q. Well, now state in what way you could not agree and what was the occasion of the disagreement.—A. We found—

Q. Who do you mean by "we"?—A. The judges. We found in the books 81 registered from 1636 Franklin avenue and 24 from 1729 Lucas avenue, and there is no such number in existence, and about 11 at 1636 Morgan. Them three places we noticed.

Q. What did you do about it?—A. We would not agree. We said the people did not live there, said we would not sign, and in the evening, it was 9 o'clock, and Schmidt had left there already and Grady.

Q. Do you mean Smith or Schmidt?—A. Gustav Schmidt, the judge. He left after that, and when we left it was not signed; so I stayed until 9 o'clock in the evening, and I says, "I am going home. I will not sign the books either." The Democratic clerk, Grady, locked the door on me. I says, "Open that door." He says, "Not

until you sign the books." I said, "I will not sign these books." I says, "Open that door," and I said that the third time, and he opened the door and I left there. So then we were called down to the commissioners' office.

Q. The election commissioners?—A. Yes, sir. And then they asked what was the trouble, and I stated right there that I would not sign because too many people were registered from those numbers, 24 at one place, where I knew there were not that many, and that place on Lucas avenue that was not in existence.

Q. That is, no such number?—A. No; no such number there; nobody there. So then they ordered a recanvass.

Q. Was that recanvass made?—A. Yes, sir; it was made. I made it with Grady, the Democratic clerk, that same day, a second canvass. I don't see how I missed that Lucas avenue the second time.

Q. Did Grady say that?—A. To me, in the presence of Smith. And so when we went down on Sunday morning to the election commissioners' office we looked over it, and we could not come to any agreement. We struck off the 24 names at 1729 Lucas avenue.

Q. Who struck them off?—A. By agreement the Republican and Democratic judges struck them off, because there is no such number; nobody lived there. And a few were struck off at 1636 Morgan.

Q. How many were struck off at 1636 Morgan?—A. I guess about five or six. Then there was not anything off of these 81 names at 1636 Franklin. Well, we could not agree; those that would not sign were positive that there were not 81 men living at that number. It is a three-story building, and a saloon on the ground floor. We could not agree to nothing. Wood asked us if we were willing to make a compromise, and I says, "I will not sign for those 81 names." He proposed to cut off half of them. I agreed to sign on this half, and he struck off 40 and only left 40 for that building. Then we signed.

Q. In arriving at the 40 names to be struck off of that registration list, do you know how it was decided as to which names were to be stricken off?—A. It was decided this way: If we knew a Democrat that was not there, we struck him off. They went to work, they took it up alphabetically, took out A, B, C, and so on, and struck off 40 off of the 81.

Q. That still left 41 names on the list.—A. Forty; one was off before, that left 40. We agreed to leave 40.

Q. How long have you lived in that precinct, at that place?—A. Thirty-two years.

Q. You were acquainted with this No. 1636 Franklin avenue?—A. I pass it every day.

Q. Do you know the character of the place?—A. Oh, yes.

Q. What is it?—A. Mighty bad one—toughs.

Q. How is it occupied?—A. By people; I don't know who. There is a saloon there, Reardon & Griffin's; the toughest crowd that can be found in St. Louis associates there.

Q. Do you know Reardon?—A. I know him by sight.

Q. Do you know Griffin?—A. Only by sight.

Q. Was he a candidate at that election?—A. Griffin was.

Q. What?—A. As justice of the peace.

Q. Were you present at the polling place on the day of election?—A. Yes, sir.

Q. At the opening of the polls?—A. I was there; the first man there.

Q. Will you state what occurred there after the polls were opened? State anything that was out of the general order in connection with a polling place in holding an election.—A. We were a little late, about ten minutes late, after 6. We went along right nice and smooth until somewhere a little after 11 o'clock, then they rushed in on us, and people came in and wanted to vote two or three times and we refused; and the police was in there, and Schmidt says, "Take that man out, arrest him," and the policeman says, "I can't do that, I can't do nothing." Just then a man came in and his name was voted, I forget the name and never put it down; and he used bad language after that, very bad, and I told the officer to take this man out. He would not take him out. Schmidt closed the book and I said "I will not number one more, not another one, until this crowd is put out," and I left and telephoned to the commissioners' office, or had a man do it for me, that we were in danger.

Q. Where did you telephone?—A. To Republican headquarters.

Q. What occurred after you got back?—A. After I got back Mr. Kinney came in and he told them to go ahead, and he was with the Democratic judge, Cosgrove, on the box, and they sat there about three-quarters of an hour.

Q. Who do you mean—Mr. Kinney?—A. I don't know him, they call him Snake Kinney; I only seen him at this election; I only heard his name called that way.

Q. Do you remember by whom?—A. By all of them.

Q. When you say you saw him on the books, what do you mean by that expression?—A. That expression is this—as soon as a man came in he said “He is all right.”

Q. Who said that?—A. Kinney.

Q. Did he take any part in the election at that polling place in the way of handling the poll books or in examining the polls?—A. Not that I know of.

Q. But he was in the polling place?—A. Yes, sir.

Q. For about three-quarters of an hour?—A. Yes, sir.

Q. Then what occurred?—A. Then in the meantime an officer was out of the place, in the meantime, while he was in—he went out and in.

Q. While who was out?—A. Kinney went out, and the officer came in and stood in the corner again, and Sergeant Lally came in and searched us.

Q. Do you know the name of that policeman?—A. Sergeant Lally.

Q. State what he said.—A. He says: “The report is that you people have guns, or are carrying guns.” And he says: “There is not a gun in the crowd.” When he went away he says: “There is not a gun in the crowd.”

Q. Whom did he say that to?—A. He said it to the crowd outside on the steps.

Q. What occurred then?—A. Sergeant, I have not seen him, but I heard he took one officer away and the others came jumping in—about 18 or 20 of them—inside the room. One jumped right over the table by Gustav Schmidt, where we had the books.

Q. What table?—A. The election table.

Q. And where you had the poll books?—A. Yes.

Q. Who jumped over that?—A. Three of them.

Q. What happened?—A. They were after Schmidt, and they got him over a little table and hit him.

Q. What with?—A. I did not see. I saw a fellow coming with brass knuckles and they hit me here [indicating]. Then after that I got a cut right this way, and I had one here.

Q. Over the left eye?—A. Yes; and they got me down, and I went out this way. I got out of the room all right, but they had to carry Schmidt out. I worked my way through.

Q. Did you return to the polling place?—A. No, sir; I have not. I went home; I had to wash, and I did not feel able to go back; I was bleeding from top to bottom.

Q. Did you know any of these parties who assaulted you?—A. I know them by sight; I have seen two or three of them since, but don't know their names.

Q. Did you know any of those that assaulted Schmidt, the other Republican judge?—A. I have seen one of them Friday afternoon—I seen one of them that went for him first. He came down from Griffin's corner.

Q. He came out of Griffin's saloon?—A. Yes, sir.

Q. Have you seen any of the others?—A. You don't hardly see in a crowd; there was a few of them that I knew.

Q. Had you seen them prior to that time, before the election?—A. No; they were only around there at the election.

Q. Were there any challengers in the polling place?—A. No, sir.

Q. Had any challengers been present there in the morning?—A. No, sir.

Q. Did the police officer give any reason for refusing to arrest the alleged voters that you pointed out to him?—A. Repeaters? He gave no reason whatever; said that he could not do it; that was the answer we got.

Q. Where was the police officer during the time this assault occurred?—A. One was inside, in the corner—standing in the corner near the hall when the whole crowd came in; and the other one, I am only told, went away with the sergeant toward Morgan street; that I have not seen.

(The counsel for contestee entered his objection to all this testimony.)

Q. You do not know what was done at the polling place after this?—A. No, sir. I went with two citizens; they came to my house and they brought me down to Mr. Folk's office, and I says, “I have the key to the books and want to deliver it,” and we went to the election commissioners' office, and Mr. Woods was there, and he says: “It is terrible the way you men were treated up there. I can not very well take these keys; you will have to deliver them to another man;” and the Republican judge and the Democratic judge, and Grady, the Democratic clerk, came in just at that time; and he came in with some poll books and tally sheets, and he says, “They were all tore up, and the bottles of ink and the pens scattered everywhere, and we can not do nothing.” So then Mr. Woods asked me whether I would not go back and serve the balance of the day. I says, “Mr. Woods, I feel sick;” and the first thing from there I had to go to the doctor; I felt bad, and had a terrible

headache; and so I says, "I will not go up there; I do not feel safe to go there." He says, "I will give you an officer;" and I says, "Never mind about the officer." Then Mr. Woods says to Grady, "How did this occur?" He says, "I don't know; I was writing at the time this happened." He says: "What? Writing, when three men jumped on the table. Can you write with three men jumping on the table?" So I got an officer and went up and returned the key, and that was the last I seen.

Q. You were not present when the returns were made up, and did not see them?—A. No, sir.

Q. Do you know G. Cosgrove?—A. I know him by sight.

Q. Was he a judge at that place?—A. Yes, sir.

Q. Republican or Democratic?—A. Democratic.

Q. Do you know M. Heffernan?—A. Yes, sir; I know him by this election.

Q. Did he officiate in any capacity—was he a judge or clerk?—A. He was a Democratic judge.

Q. Do you know H. M. Cox?—A. No, sir.

Q. Do you know Thomas Powers?—A. No, sir.

Q. C. F. Boys?—A. No, sir; don't know any of those men.

Q. Did you see any of these men at that polling place when you went back there for the purpose of delivering the keys?—A. I seen Grady—he was down at the commissioners' yet—he was not back yet; and I seen this J. H. Smith and Cosgrove. I seen them two that I know; the others were new men.

Q. Did you see Kinney there?—A. No; not at that time.

Cross-examination by Judge Bond:

Q. Do you know who were the candidates for the smaller offices at that election—for instance, justice of the peace, etc.?—A. I know two of them that was running; yes.

Q. Who were running?—A. Griffin and Spaulding and Walker.

Q. What office was Kinney's brother running for?—A. I believe one was running for constable.

Q. He had a brother running in that precinct and ward for constable?—A. Yes, possibly; I believe so.

Q. That is your information?—A. Yes.

Q. Your information was that his brother was a candidate for election and that his name was on the ticket?—A. Yes.

Q. What Republican club do you belong to?—A. None of them.

Q. Who appointed you judge?—A. They have been after me five or six times and I refused, and they came on Sunday night—that was before the registration; Walker—I did not know Walker then—and a man whose name I do not know came with him.

Q. Did you see Gustav Schmidt make a grab at the man who subsequently struck him in the mouth?—A. I have not seen that he grabbed the man. Two men jumped right over the table and got him at this corner right here and leaned right over the table.

Q. Did you hear Mr. Schmidt's testimony this morning?—A. Yes.

Q. Were you in the room?—A. I was here.

Q. You heard it, then, didn't you?—A. Yes.

Q. You heard the most of it?—A. Yes, sir.

Q. You heard Schmidt's testimony?—A. Yes.

Q. You have been in the room all morning?—A. Yes, until this commenced.

Q. Until you were called; you heard all the former witnesses said?—A. Yes.

Q. You have been in the room here to-day?—A. Yes, sir.

Q. You have heard these other witnesses who have been testifying?—A. Yes.

Q. What did Mr. Schmidt say that brought on this little difficulty with him and the three men?—A. What three men?

Q. The men who jumped over the table.—A. There was no difficulty whatever.

Q. Didn't he refuse to allow some man to vote?—A. This man was not in the room any more then. They all came in in a bunch. He had nothing to do with this man.

Q. Why did they pick him out to have difficulty with?—A. They had it in for us. We would not let anybody vote but once. Once is enough for a man to vote. They picked us out: They thought they could run that polling place, but they could not.

Q. What became of the Democratic judge who went off with him?—A. He was inside yet when I got out.

Q. Grady went off with you?—A. No, sir; I went off by myself.

Q. Did Heffernan go off with you?—A. No, sir; I fought my way through first—I got on the sidewalk.

Q. Did you see any of the others that came out?—A. No; I had gone then. I only heard the officer took Schmidt home. I did not see any others come out.

Q. Who went with you to the election commissioners' office?—A. I do not know the name.

Q. Did Grady go?—A. No, sir; I met him down there.

Q. So he had been at the polls and you met him at the election commissioners' office the same afternoon?—A. Yes, sir; about 4 o'clock. I wanted to know what to do with the key.

Q. And the election commissioner offered to send an officer back with you?—A. He did so. He gave me an officer to go and return the key. In the meantime they swore in some other judges.

Q. They swore in two other Republican judges?—A. Yes.

Q. And you did not do anything further?—A. I did not.

Q. Returned the key to the poll box?—A. I returned the one I had in my possession. I numbered the votes, and when I left there I numbered 109 votes; that's the last I numbered.

Q. Your last vote was numbered 109?—A. Yes, sir.

Q. And two men were sworn in there as your successors?—A. Yes, sir.

Q. And you handed the keys over to them?—A. Yes.

Q. Then you went home?—A. Yes.

Q. That is all you had to do with that election that day?—A. Yes.

Q. Have you ever brought suit against any of these men who struck you?—A. No.

Q. You never bothered about it?—A. I never did. I got licked, and that was enough. It looks bad for a big man like me to get licked, but I did.

Q. Did you take any interest in the nominations for the Republican candidates before the election?—A. No, sir.

Q. Did you know any of the candidates?—A. No.

Q. You know there is a Republican central committee in St. Louis?—A. This is the first time in twenty years that I have acted as judge, and I said I would not do it this time.

Q. Don't you know that shortly before this election there was considerable disagreement between the Republican central committeemen?—A. No; I don't bother myself that much about politics.

Q. Don't you read the newspapers?—A. Yes.

Q. Which one? Chronicle?—A. I read the first one I get hold of.

Q. Do you read the Globe?—A. Yes.

Q. Do you read that occasionally, or steadily?—A. I read that every Sunday; that is my Sunday paper.

Q. Did you see anything in the Chronicle or in the Sunday Globe-Democrat which told you the Republican committee was split wide open?—A. I told you I don't bother my head with political business. I am not looking for any political job.

Q. How many votes were cast at that precinct that day?—A. I don't know; I was not there; I numbered 109; that's all I know.

Q. Your two Republican successors and the other judges numbered the others?—A. They numbered the others.

Q. You did not number them?—A. No.

Q. Was 109 cast while you were there?—A. Yes, sir.

Q. You are absolutely sure of that?—A. Yes; I will take any oath on that.

Q. Those were all right?—A. They were all right. There was no trouble about that.

Q. You will stand by those 109?—A. That's all right, that 109.

Q. You put your initials on those ballots, didn't you?—A. Yes, sir.

Q. And they were qualified electors. You do not know whether or not there were three candidates for Congress at that time by the Republican party?—A. Only two then.

Q. Don't you know there were three nominated?—A. Whether they were nominated or not and what took place about Lofhagen I don't know.

Q. What was he nominated for—the long term or the short term?—A. I can not tell you. I am not in politics.

Q. Isn't it a fact that Mr. Lofhagen and Mr. Wagoner were nominated by one faction of the Republican party and Mr. Reynolds by the other faction?—A. I don't know nothing about it.

Redirect examination by Mr. RICHNEY:

Q. What is your business?—A. Carriage and wagon maker.

Q. You do not know of your own knowledge who was appointed and sworn in there as Republican judges after you were assaulted and driven out of the place, do you?—A. No; I only heard of Mr. J. H. Smith.

Q. Do you know whether or not the men who acted as Republican judges were Republicans?—A. I don't know anything about it.

Q. What Judge Bond has asked you about what they did after you were assaulted you don't know anything about?—A. I do not.

EDWARD H. LOFHAGEN, a witness, being produced, sworn, and examined on the part of the contestant, deposed as follows:

By Mr. RICHY:

Q. What is your name, age, and residence?—A. Edward H. Lofhagen; 31 years of age; residence, 1719 Morgan street.

Q. In the city of St. Louis?—A. Yes, sir.

Q. What is your occupation?—A. I am an instructor.

Q. In what?—A. The St. Louis Manual Training School.

Q. How long have you resided in the city of St. Louis?—A. I was born and raised here.

Q. How long have you resided at the number you just gave?—A. I was born next door, in 1871; have lived there all my life with the exception of seven years.

Q. What ward, precinct, and Congressional district do you live in?—A. The ninth precinct of the Fourth Ward, Twelfth Congressional district.

Q. Were you present at the polls during the election for Congressman held on November last?—A. I was.

Q. How near to your residence is that polling place?—A. My residence is in the middle of the block between Seventeenth and Eighteenth street on Morgan; the polling place was on the east side of Seventeenth street between Morgan and Franklin.

Q. That is practically around the corner of the block from where you reside?—A. Yes, sir.

Q. Are you well acquainted in that neighborhood?—A. Yes, sir; I am.

Q. Do you know the saloon building of Reardon & Griffin?—A. I do.

Q. What is the number?—A. 1636 Franklin.

Q. Did you have any connection with or pay any attention to the registration in that precinct for this election?—A. I did.

Q. State what it was.—A. I took an interest in the registration in so far as looking up the registration lists, etc., to see if there was any fraudulent registration in the different parts of the precinct and different parts of the ward, and I can not say that I took any active part in going around to investigate the registration.

Q. Did you examine the registration lists?—A. I did; yes, sir.

Q. Did you find any occasion to question that list as you found it?—A. I did, in so far as 1636 Franklin was concerned.

Q. What was the cause of that?—A. I believe there were, if I am not mistaken, about 41 names on the list now; I felt satisfied there were no 41 people living there at the time of the election. It is a three-story house, with an L to the rear, with a saloon on the ground floor, and the second and third floors, I do not believe, could contain over twelve rooms at the most. That is not providing for any kitchen or anything of that kind. And I do not believe that 41 men could live there at one time. I understand there were 81 on the registration list from that house.

Q. Who occupies the second and third floors?—A. I do not know; I believe Reardon & Griffin run the whole house.

(The contestee objected to the answer as the conclusion of the witness.)

Q. Are you acquainted with either Reardon or Griffin?—A. Only casually.

Q. Were either of them candidates?—A. Griffin was candidate for justice of the peace.

Q. On what part of the ticket was he running?—A. On the Democratic ticket.

Q. Did you examine the registration from 1729 Lucas avenue?—A. No, sir; I did not.

Q. Or 1636 Morgan?—A. Yes, sir; I saw where I believe there were 11 or 12, I do not remember the exact number; I think 11 on the list, of which 4 were afterwards scratched. In connection with that I will state that I went into the saloon below and inquired about the registration with Mr. Wagoner at the time, and they were unable to give us any satisfactory answers as to the people that were living there.

Q. Do you know whether or not there is such a number as 1729 Lucas?—A. No, sir; there is not.

Q. On the day of the election were you at the polls at any time?—A. I was.

Q. And if so, did you see anything irregular or unusual in connection with the polling of an election?—A. Yes, sir.

Q. State what it was.—A. About 12.20 or 12.25 at noon I came down Morgan street from Eighteenth, when a party came running toward me and warned me not

to go down to Seventeenth street, on which the polling place was situated, saying that it was dangerous, and I inquired why, and he told me that two judges had been assaulted, that a gang of men had gone into the polling place, rushed into the polling place, and had assaulted both judges, and one judge was seen running up the alley all "cut up," the way he expressed it, and I then took him down to the Fidelity Storage House—

Q. Took whom down?—A. This individual; I believe his name was—I can't recall the name; this party that cautioned me not to go to Seventeenth street, and we telephoned down to the Republican city central headquarters and to the Congressional headquarters. In the meantime Mr. Mertz came in—

Q. Who was Mr. Mertz?—A. Mr. Mertz was judge of election.

Q. For what party?—A. For the Republican party.

Q. At this polling place?—A. Yes, sir; he came in with his face cut and bruised and his clothing smeared with blood; he was in pretty bad shape and he told us that they had been assaulted—

(Counsel for the contestee object to what the witness was told.)

The WITNESS. I then went down to the corner of Seventeenth street and looked across toward the polling place and I saw a gang of young men. I don't suppose there was one over 30 judging from what I could see at that distance, young fellows, traveling from Reardon & Griffin's back door, the saloon, to the polling place, and they would go into the polling place and stay there, say, about two or three minutes and then return and go on back and forth, a continual stream.

Q. Were they the same individuals?—A. Yes, sir.

Q. How often did you see them, as near as you can remember now, going back and forth from Griffin's saloon to this polling place?—A. As I said before, there was a continual stream.

Q. Well, what else did you notice; did you go to the polling place at all?—A. Yes, sir. You mean directly after that?

Q. Well, at any time after this happened?—A. Yes, I was there in the evening and at various times during the day.

Q. Do you know a man by the name of Kinney, otherwise called "Snake" Kinney?—A. Yes, sir.

Q. Did you see him there that day?—A. No; I can not say that I did.

Q. Did you see the other Republican judge, Mr. Schmidt, that day?—A. I did not; I saw him the next day.

Q. What was his condition?—A. He was in bed, confined to his bed.

Q. What was the condition of his face and head, if you noticed?—A. I didn't notice anything about his face. His head was tied up and he seemed to be in pain.

Q. Now, how late were you at that polling place in the evening?—A. Well, I don't remember the exact time; the fact is, I did not keep track of the time after that occurrence.

Q. Were you inside of the polling place after this occurrence?—A. No, sir; I was not.

Q. Not at all?—A. No, sir.

Q. Were you inside the polling place before this occurrence?—A. Yes, sir.

Q. Did you see any police officers there?—A. I did.

Q. How many?—A. I saw two; that is, one on the outside, rather, and one on the inside.

Q. Were there any challenges made during the time you were there?—A. No, sir.

Q. Did you see "Snake" Kinney in the polling place while you were there?—A. I did not.

Q. How far from the rear door that you have just mentioned of Griffin's saloon is the polling place?—A. Well, I should judge that it is about 75 feet.

Q. The same side of the street?—A. Yes, sir.

Q. Did you know any of these parties that you saw passing back and forth there as residents of that ward and precinct?—A. I did not.

Q. Were you well acquainted in that precinct?—A. Yes, sir.

Cross-examination by Mr. BOND:

Q. You don't know all the voting population of that precinct, do you?—A. No, sir; not all.

Q. You don't know the bulk of them, do you?—A. Well, I don't know; I know quite a number of them.

Q. Nothing like a majority of them?—A. Well, now, of course I am not splitting hairs, I could not say; I think I know quite a number of them; yes, sir.

Q. How many votes were cast in that precinct at the last election?—A. How many were cast?

Q. Yes.—A. I don't remember; I remember reading the figures, but I didn't pay any particular attention to it.

Q. How close were you to this saloon at the time you made this observation of persons going to and fro?—A. I was at the next corner.

Q. A block away?—A. Yes, sir.

Q. You did not know the individuality of any person that you ran across, did you?—A. I did not.

Q. Were you nominated for Congress?—A. Yes, sir.

Q. By whom?—A. By a convention of the Republican party.

Q. Where was it held?—A. At the Merchants' League Club.

Q. What element in the Republican party did that convention represent?—A. Well, I don't know that it represented any particular element.

Q. Don't you know there were two factions or different elements in the Republican party prior to the last election?—A. Well, I don't know; I suppose—I hardly know how to answer that question.

(Question read.)—A. Well, I notice it is so by the papers; yes, sir.

Q. How were they designated; do you know?—A. I do not.

Q. How were they designated in the papers?—A. Well, that is hard to say; I don't remember.

Q. Wasn't one, don't you remember, in substance, the old committee, and the other the new committee?—A. I think so; yes, sir.

Q. Which one nominated you?—A. Well, I was nominated by the delegates regularly assembled in a convention that were selected by a mass meeting called by the Twelfth Congressional district committee.

Q. Was that committee made up of the adherents of the old committee or the new committee?—A. The Congressional committee was elected at the primaries at which the central committee was elected.

Q. The one which conducted the last election for the Republican party?—A. Yes, sir.

Q. So that they were the men that were elected at the time the new committee was elected, were they?—A. I don't know.

Q. They were elected as part of the committee at the time of the election of the new committee, were they not?—A. Yes, sir.

Q. At the convention that assembled you were the regular nominee, were you not?—A. I can not say that I was; that was a question in dispute.

Q. Didn't you receive the credentials in that convention as its nominee?—A. Well, now—

Q. Isn't it a fact, I do not ask you as to the legal question about it, speaking of the fact, were you not recognized as the nominee of that convention, the regular nominee?—A. I was recognized by those sitting in the convention.

Q. They were made up of delegates, were they not?—A. Yes, sir.

Q. Elected to a convention held by the Republican party?—A. Yes, sir.

Q. By its regular machinery?—A. I should judge so; yes, sir.

Q. You considered your nomination valid and regular in all respects, did you not?—A. I did at the time; yes, sir.

Q. For what term were you nominated?—A. For the long term only.

Q. How long did you hold yourself out as a candidate before the people under that nomination?—A. I don't remember what date I withdrew; I don't remember the exact date.

Q. Did you not put your withdrawal upon the ground that it was in the interest of harmony and the general success of the Republican ticket, and not from the fact that there was any irregularity in your nomination?—A. Yes, sir.

Q. You distinctly stated that, didn't you?—A. Yes, sir.

Q. And the further reason, also, that you wanted to occupy a position where you could be shown not to have done anything to injure the success of your party; wasn't that, in substance, embodied in your letter of withdrawal?—A. I did not quite catch that.

Q. That you wanted to be in a position where you could not be assailed as having done anything to injure the success of your party?—A. Yes, sir.

Q. You were never nominated for the short term?—A. No, sir.

Q. Why did you withdraw; after consultation with whom?—A. I consulted with a number of my friends. I had decided beforehand.

Q. Who did you consult with?—A. I don't know that it was anybody in particular.

Q. Was it a committeeman?—A. No, sir.

Q. Republican committeemen?—A. There may have been some Republican committeemen.

Q. And as a result of that consultation and your own reflections you withdrew, did you?—A. Yes, sir.

Q. Now, as to the expressions contained in your letter of withdrawal or its verbiage, were those prepared after consultation with others or did you indite it yourself?—A. No, sir; I indited it myself.

Q. Without consultation with anyone?—A. I can not say with no one; I drafted the letter myself.

Q. To whom did you submit it before its publication?—A. Well, I mentioned the fact to Mr. Aloe, and I had Mr. Aloe's stenographer write the letter.

Q. Did he see a copy of it before it was published?—A. Yes, sir.

Q. Who is Mr. Aloe?—A. Mr. Aloe is an election commissioner.

Q. Of what political faith?—A. Republican.

Q. So he was advised of the contents of the letter before it was published?—A. Yes, sir.

Q. Whom else?—A. Well, I don't know of anybody else.

Q. You don't recall anybody else?—A. No, sir.

Q. You may have submitted it to other men in the party?—A. No, sir; I can not recall of having submitted it to anybody else.

Q. Then it was with the advice and concurrence of Mr. Aloe that you took the step?—A. No, sir; it was because Mr. Aloe was election commissioner and I had to turn that letter in to the election commissioners; that was the reason I went to see Mr. Aloe.

Q. I mean the letter which you gave to the press.—A. Well, did anybody else see it, you say?

Q. Yes, besides yourself.—A. Yes, sir; I showed it to quite a number.

Q. Who were they?—A. I believe I went around to the different papers and gave them different copies of it.

Q. Before you gave it to the papers to whom of your political friends did you show it?—A. I showed it to Mr. Aloe, to Mr. Frank—

Q. Nat. Frank?—A. Yes, sir.

Q. Who else?—A. Mr. Kerens.

Q. Mr. R. C. Kerens?—A. Yes, sir.

Q. Who else?—A. I can not recall at present anybody else.

Q. And you may have shown it to others, may you not?—A. Yes, sir.

Q. And after having shown it to them and spoken to them as to its subject-matter, you gave it to the press, to the various newspapers?—A. Yes, sir.

Q. What position, in a business way, does Mr. Frank occupy aside from his professional employment?—A. I do not know.

Q. Of course you know he is an attorney?—A. Yes, sir.

Q. Do you know anything about his connection in a business way with the Star?—A. I have only heard so, I don't know of any.

Q. Isn't it understood he is a large owner, if not the controller, of the stock in the Star?—A. I have heard so; yes, sir.

Q. That is your understanding, is it?—A. Yes, sir; I naturally would suppose he had some interest in it.

Q. The Star was favorable to your candidacy, wasn't it?—A. Yes, sir.

Q. And the Globe-Democrat, on the contrary, was hostile to it, was it not?—A. Yes, sir.

Q. Why was the Globe hostile to your candidacy?—A. I don't know.

Q. You simply know the fact?—A. Yes, sir.

Q. The Globe was inimical to you?—A. Yes, sir.

Q. You were a candidate for an important office, were you not—you had never filled a public office, had you?—A. Not an elective office.

Q. Some appointive position?—A. Yes, sir.

Q. Now, don't you know, as a matter of current public history, that there was a decided split in the ranks of the Republican party, traceable, just prior to the last election, to differences between friends of Mr. Kerens and friends of Mr. Atkins? Don't you know that as a matter of common knowledge?—A. Well, I tell you now I am not enough of a politician to answer that question.

Q. You read of it in the newspapers?—A. I read all kinds of things in the newspapers.

Q. You occasionally read what is veracious in the newspapers—that is my experience, at least—don't you?—A. I don't know that there was any decided split in the Republican party.

Q. Don't you know that the result of that dissension brought about a struggle of the committeeship, and that a number—say, 20—of the old committee were expelled and substituted by new men—you understand that, don't you?—A. Yes, sir.

Q. Don't you know it as well as you know anything else in the community where you live? Just give me a candid, outspoken answer, as well as you can.

Mr. HOLTCAMP. I think the witness has given that. He said he understood it. You were not present when anything was done, were you?

The WITNESS. No, sir.

Mr. HOLTCAMP. Then I object to it.

Mr. WALSH. We have not objected to any hearsay up to this time.

Mr. HOLTCAMP. The testimony is lined with objections made by Mr. Butler himself. You have been absent, Mr. Walsh.

Mr. BUTLER. They didn't do any good.

By Mr. BOND:

Q. You do know that as a fact that there was a substitution of some 20 members of the old committee by new men?—A. As I said before, I was not present; I don't know positively; I have heard so.

Q. You heard so as part of the comment or part of the public statement of general affairs, a matter about which there was a consensus of opinion, did you not?—A. Yes, sir.

Q. That, then, took place; there was a new committee formed by substitution, was there not?—A. I suppose there was.

Q. Didn't that leave some irritation, to characterize it mildly, on the part of some of the members of the Republican committee who had been deposed?—A. Well, I suppose it did create some feeling.

Q. Didn't it result in a want of fealty to the party in the last election?—A. I don't think so.

(Counsel for the contestant object to this line of examination on the ground that it is all supposition, the witness being expected to answer from hearsay and give his opinion, and as incompetent and immaterial.)

Q. Don't you know, as a matter of fact, there is now pending a suit in the supreme court of the State of Missouri for the purpose of determining which is the regular committee of the Republican party, the old or the new?—A. I read it in the paper, sir.

Q. And that the two sides are represented by counsel, and that matter is still pending?

Mr. RICHEY. If you know of your own knowledge?

The WITNESS. I do not.

By Mr. BOND:

Q. You have read that in the newspaper?—A. Some time ago; in fact, at this time I don't know whether there is a suit pending there or not.

Q. Did the convention which nominated you also nominate Mr. Reynolds?—A. No, sir.

Q. What and where was he nominated?—A. Mr. Reynolds was nominated by a convention that was held in the afternoon of the Saturday preceding my nomination.

Q. Your nomination took place the succeeding Saturday, did it?—A. No, sir; the preceding Monday.

Q. The preceding Monday?—A. The succeeding Monday.

Q. Then the convention that nominated you met about a week before the one—A. It did not—oh, it met to organize, you mean?

Q. Yes.—A. Well, that is a question hard to answer. It was part of the convention that met Saturday morning which nominated Mr. Reynolds, and it was part of that convention which nominated me.

Q. Which was nominated first, you or Mr. Reynolds?—A. Mr. Reynolds.

Q. He was nominated in the afternoon?—A. Yes, sir.

Q. When were you nominated?—A. I was nominated the following Monday.

Q. Two days thereafter?—A. Yes, sir.

Q. Who was nominated for the short term at the Reynolds' convention, if any one?—A. I believe Mr. Reynolds was nominated.

Q. Who was nominated for the short term at the convention which nominated you?—A. Mr. Wagoner, or recommended or indorsed.

Q. Was he not regularly nominated?—A. The call for the convention did not provide for the short term.

Q. Then the convention of its own initiative undertook to nominate him outside of the call?—A. No, sir; the convention did not nominate him; the convention indorsed him.

Q. Had there been any call made to make a nomination for the short term at the convention at which you were nominated?—A. For the short term; no, sir.

Q. And because the convention had no right to nominate him for that term, being outside of the call, it simply recommended him, did it?—A. Yes, sir; it indorsed him.

Q. When was Mr. Wagoner regularly nominated, if at all, and by what party?—A. Well, now, that is a question that I can not answer.

Mr. HOLTCAMP. Mr. Loffhagen, if you can not testify to these matters from your knowledge say so, and decline to answer them.

The WITNESS. Well, I don't know them.

Mr. BUTLER. Just note that down.

Mr. HOLTCAMP. Yes, note it; that is the reason I said it. If you can not answer from your own knowledge don't do anything else, but say so.

By Mr. BOND:

Q. Was there any other convention prior to the one at which you were nominated which undertook to nominate Mr. Wagoner for the short term for Congress?—A. I don't know.

Q. Did Mr. Wagoner have any other nomination than the indorsement that he received from the convention which nominated you?—A. I don't know.

Q. Was he nominated by electors?—A. I do not even know that.

Q. Were you also nominated by electors?—A. Yes, sir.

Q. Now, aren't you equally aware that Mr. Wagoner claimed to be nominated by electors also?—A. Well, I don't know; I naturally suppose that his nomination was all right.

Q. What nomination are you referring to now?—A. Mr. Wagoner's.

Q. Which one?—A. The nomination for Congress.

Q. You don't mean the one at the convention which nominated you?—A. No, sir; I am not referring to that.

Q. Which one are you referring to?—A. He was on the ticket as the nominee of the party; for that reason I should judge his nomination was all right.

Q. Is that the only basis for that conclusion?—A. Yes, sir; I don't know of anything else.

Q. Don't you know, Mr. Loffhagen, that the board of election commissioners decided that neither you nor Mr. Wagoner nor Mr. Reynolds were regularly and properly nominated?—A. No, sir; I do not.

Q. Wasn't such a decision on the part of the board of election commissioners the reason that you undertook to secure a nomination by electors?—A. Not that I am aware of; no, sir.

Q. Why did you seek nomination by electors?—A. Because I considered that was the only way that my name could appear on the ticket.

Q. Didn't you come to that conclusion from the fact that the board of election commissioners had made an adverse ruling as to the appearance of your name by reason of your nomination at the other convention, the delegate convention?—A. No, sir.

Q. Why did you consider that was the only reason?—A. Because at the time I believe the city counselor issued an opinion that that was necessary.

Q. Did that opinion take the ground that neither of you had been properly nominated at your delegate convention?—A. No, sir.

Q. What did—A. In my own opinion, it did not; I am not an authority on that question; in my own opinion, it did not.

Q. Still the result of that opinion was your seeking a nomination by the electors, was it not?—A. Yes, sir.

Q. Although you did not think that opinion had ruled adversely to the regularity of your own nomination at the delegate convention?—A. Yes, sir.

Q. Were you not the chairman of the Republican Congressional committee for the Twelfth district prior to the last election?—A. I was at one time.

Q. At what time?—A. For a short time only.

Q. What month?—A. I can not recall it.

Q. The month of October, 1902, was it not?—A. I can't remember exactly what date; it was only for a few days.

Q. You did, then, at some time shortly before the election, occupy the position of chairman of the Congressional committee on the Republican side in the Twelfth district?—A. No, sir; before the nominations.

Q. Wasn't there also at that time another Republican Congressional committee, or so claiming to be?—A. I don't know that there was.

Mr. HOLTCAMP. We will concede that there were a number of them.

Q. Who was the chairman of the other?—A. I don't know of any other.

Q. You did not hear of any other?—A. Not at that time.

Q. Well, about October 4, 1902?—A. October 4? I can't recall it.

Q. Wasn't that the time that you were chairman of that Republican Congressional committee for the Twelfth district?—A. I don't remember.

Q. You won't say it was not?—A. No, sir.

Q. It may have been?—A. Nor will I say that it was.

Q. It may have been?—A. That is possible.

Q. Well, do you know that it was not so?—A. No; I have not looked up the dates.

Q. How long did you remain chairman of that Congressional committee?—A. That is a question that I can not answer.

A. Well, I don't know who can if you can not. What is your best impression, then?—A. It is a question that I can not answer clearly; and for that reason I refuse to answer.

Q. Can you give the facts and let us draw the legal deduction?—A. I can not recall all the facts in connection with the case.

Q. Will you please glance at this typewritten matter which I furnish you and state whether or not it is not a copy of a communication of that date and substance which you addressed to the board of election commissioners in the city of St. Louis?—A. Yes, sir.

Q. What is the date of that?—A. October 4.

Q. Please read it to the stenographer so that he can take it down.—A. (Reading.) "St. Louis, Mo., October 4, 1902. James M. McCaffery, John M. Wood, and Louis P. Aloe, board of election commissioners for the city of St. Louis, Mo. According to the provisions of section 21 of the primary election law governing this city and district you are hereby notified that the Twelfth Congressional Republican committee have been reorganized with the following officers: Chairman, Edward H. Loffhagen, 1719 Morgan street; secretary, Harry G. Whelan, 513 South Ewing avenue."

Q. You say that is a copy of the communication which you addressed to the board of election commissioners, do you?—A. Yes, sir.

Q. Besides yourself and Mr. Whelan, who at that time were the other members of the committee?—A. That is a question I can not answer because I don't know.

Q. State then as far as you know them?—A. Mr. Whelan, Mr. Gieslen—

Q. Give Mr. Gieslen's full name.—A. I don't know his first name; and Mr. Decker—I can not recall the others.

Q. Now, what other wards were in the Twelfth Congressional district besides these three?—A. The Thirteenth.

Q. Who was committeeman from that ward?—A. Now, I will tell you in connection with that thing, I can not answer that question at all, because at the time I did not really understand the condition that existed then myself, and for that reason I can not answer.

Q. What do you mean by understanding the conditions?—A. That communication was sent to the election commissioners on the reorganization of the regular committee, which was shortly after, I understand, the reorganization—I was not present at that meeting—shortly after its reorganization.

Q. You say this communication was sent subsequent to some reorganization in the committee?—A. Yes, sir.

Q. Is that what you mean?—A. Yes, sir; or prior.

Q. Which was it?—A. Prior to the reorganization in the committee.

Q. This communication was subsequent to one reorganization and prior to the second reorganization, is that what you mean?—A. Yes, sir.

Q. Now, what was the second reorganization?—A. In the second reorganization Mr. Teasdale was made chairman.

Q. That was subsequent to the one which had taken place at the time you sent this communication to the board?—A. Yes, sir.

Q. After your communication, was it?—A. Yes, sir.

Q. And that was after you had withdrawn from the race for Congress, wasn't it?—A. No, sir.

Q. Are you sure about that?—A. I am sure, although I was not present.

Q. Still you are sure as to that—that it took place before you withdrew from the race for Congress?—A. Yes, sir.

Q. Now, wasn't Mr. Teasdale the head of another committee prior to the reorganization which you say had taken place, and upon the basis of which your communication was addressed to the board of election commissioners?—A. Not that I know of.

Q. Will you please refresh your memory by looking at this communication, which purports, I believe, to be a copy of what Mr. Teasdale sent to the board of election commissioners? When is that communication dated?—A. September 24.

Q. Then that was prior to the 4th of October, wasn't it?—A. Yes, sir.

Q. And that assumes to be a communication from some committee of which Mr. Teasdale was a member, does it not?—A. Yes, sir.

Q. Are you not satisfied now that he was at the head of a committee prior to the time that you sent your communication?—A. No, sir; I don't believe it was to have a committee.

Q. Couldn't you tell whether you succeeded Teasdale or not?—A. I succeeded Teasdale; yes, sir.

Q. Then he had been the head of the committee—A. And he succeeded me.

Q. You deposed him and then he deposed you? Is that it?—A. Yes, sir.

Q. He deposed you for the last time before you retired?—A. I don't recall the circumstances in connection with that.

Q. Do you know John B. Owens?—A. Yes, sir.

Q. Of what committee was he a member?—A. He was a member of the regular city central committee.

Q. Was he a member also of the Congressional committee?—A. He was not.

Q. Was he a member of the committee of which you were chairman?—A. He was not.

Q. Was he a member of the committee of which Mr. Teasdale was twice chairman?—A. Not that I know of.

Q. Well, Mr. Chris Schawacker—of what committee was he a member?—A. I don't know that he was a member of any committee.

Q. Mr. Joseph Schuler?—A. I don't know.

Q. Robert Walker?—A. I believe that Robert Walker was a member of the regular city central committee.

Q. Well, the one with the Kerens forces or the Aikins forces?—A. I don't know.

Q. Which of the two?—A. I don't know.

Q. Judy—what committee was he a member of?—A. Judy; I don't know that he was a member of any committee.

Q. Was he not a member of the city central committee?—A. Not that I know of.

Q. You did not inform yourself about that?—A. No, sir.

Q. Mr. Weinbrenner?—A. I believe Mr. Weinbrenner was a member of the regular city central committee.

Q. At what time?—A. Well, I don't know. I have not been keeping track of Mr. Weinbrenner.

Q. Did he belong also to the Congressional committee of which you were chairman?—A. Not that I know of.

Q. If he did it made so little impression on you that you don't recall it. Is that the case?—A. Well, I don't recall the fact.

Q. Patrick Reagan?—A. Not that I know of.

Q. You are perfectly clear that the convention which nominated you did not nominate Wagoner for the short term, are you not? In other words that its action was limited to recommendation?—A. Yes, sir; I think I am right on that.

Q. You are willing to stand by that, are you not?—A. Well, that is the way I understand it; that its indorsement was equivalent to a nomination, in my opinion.

Q. What do you say?—A. Equivalent to a nomination, in my opinion.

Q. Why do you say that?—A. Because it gives the expression of the opinion of the Republican party.

Q. Why do you say that? If I have not misunderstood your former examination, you said he was not nominated, because that matter was not embraced in the call of the convention, and therefore it could not have any jurisdiction to nominate, but to indorse or recommend him. Wasn't that the reason that you gave?—A. How is that?

Q. Wasn't it the reason that you gave—the fact that it was a mere recommendation; that the convention had no power to nominate, because the nomination was not embraced in the call of the convention?—A. That is a legal question which I personally can not decide, as I am not a lawyer.

Mr. HOLTCAMP. Don't worry about that; lawyers can't decide it, either.

By Mr. BOND:

Q. You would not have to be a lawyer to know that if a convention were called for one purpose it could not do anything else as a convention, would you?—A. I would naturally suppose so.

Q. It would be confined to the purpose for which it was called?—A. Yes, sir.

Q. And wasn't that the plain, common-sense reason on which you predicated your former answer?—A. Yes, sir.

Q. Now you are perfectly clear that in the call for the convention there was no mention made of a nomination for the short term, are you not?—A. Well, now, that is a question.

Q. Didn't you read the call?—A. Yes, sir.

Q. Didn't you state a moment ago that the call did not embrace the nomination for the short term?—A. For this reason—

Q. I don't ask for the reason. I want the fact.—A. "And all such other business as might come before it." I believe that is in the call.

Q. Did it specifically mention the nominee for the short term?—A. Not that I recall.

Q. Did it specifically mention the nominee for the long term?—A. No, sir.

Q. And you were the nominee under that feature of the call?—A. That is a question in dispute.

Q. They proceeded to nominate you under that, didn't they?—A. Part of the convention; yes, sir.

Q. Was that a convention of the old or the new Twelfth district?—A. That was a convention of the new Twelfth district.

Q. Then the old district was not represented, was it?—A. In that convention?

Q. Yes.—A. It was in part.

Q. Was there any mention in the call of a nomination to fill a vacancy in the Fifty-seventh Congress of the United States?—A. Not that I recall.

Q. If it had been there, wouldn't you have remembered it?—A. I think so.

Q. Such a matter would have attracted your attention?—A. Yes, sir.

Q. And you are satisfied that that specifically was not mentioned?—A. Yes, sir.

Q. Or any specific mention made of the nomination for the short term?—A. Yes, sir.

Q. Despite all that you say, Mr. Wagoner was nominated for the short term at this convention which nominated you because, in your opinion, that was an expression of the will of the Republican party?—A. I considered that equivalent to nomination; yes, sir.

Q. And I quoted your language correctly, did I not?—A. I didn't say he was nominated. I said in my opinion it was equivalent to nomination.

Q. And the reason that you gave was because it was the will of the Republican party?—A. Yes, sir.

Q. If that was equivalent to nomination, how could there be another nomination by the same party, for the same party, at a different convention?—A. I don't know.

Q. Yet there was an undertaking to nominate Mr. Reynolds for the same office at a different convention, was there not?—A. That is a question I don't like to go into—the differences that existed at that time in the two conventions. I don't know anything about that one convention.

Q. Don't know anything about the Reynolds convention?—A. No, sir.

Q. Have you not said at the Reynolds convention he was nominated for both terms, long and short?—A. I said I so understood.

Q. Now then, if Mr. Wagoner was nominated by the convention which nominated you, then the subsequent convention that nominated Mr. Reynolds for the same office was invalid and irregular, wasn't it?—A. I don't know that it was; I am not a judge of that.

Q. Can there be two nominations for the same office by the same political party at one election?—A. Well, that is a question I could not decide.

Q. Please look at this paper and see if that correctly states what was done?—A. Yes, sir.

Q. That was prior to your nomination, wasn't it?—A. Yes, sir.

Q. That was filed with the election commissioners on the 7th day of October, 1902?—A. Yes, sir.

Q. And that communication is signed by yourself, with reference to your own nomination, isn't it?—A. Yes, sir.

Q. And you signed in the capacity of chairman of the Twelfth Congressional district Republican committee?—A. Yes, sir.

Q. The 7th day of October, 1902?—A. Yes, sir.

Q. And speaking of the acts and doings of the convention which had nominated you?—A. Yes, sir.

Q. Now, in how many other ways than this one was your name put before the board of election commissioners as a candidate for the office of Congressman?—A. By a petition of electors.

Q. How else?—A. I don't know of any other way.

Q. By the convention and by a petition of electors, these are the only two ways?—A. Yes, sir.

Q. Mr. Loffhagen, isn't it a fact that both these committees, Congressional committees, held daily sessions until the time of the effecting of a compromise as to the candidates for Congress on the Republican side?—A. Not that I know of.

Q. Didn't your committee meet daily?—A. I don't remember whether it did or not.

Q. Did it meet very frequently?—A. No, sir; it did not.

Q. Were you not assembling for the purpose of receiving overtures from the other side and considering them?—A. No, sir.

Q. Didn't you receive any such overtures?—A. No, sir.

Q. How was the compromise effected?—A. The compromise, if there was any compromise, was effected by my withdrawal.

Q. Aside from any communications from the rival committee?—A. If there were any communications I knew of none.

Q. Were you not one of the affidavits to the affidavits attached to the memorial to secure this contest?—A. Yes, sir.

Q. The matters stated in this affidavit rest entirely upon hearsay as far as you are concerned, do they not?—A. Not entirely; no, sir.

Q. You were not present at the polling place at the time of this altercation or disturbance?—A. Not at the time of the assault; no, sir.

Q. So that whatever transpired there you did not see?—A. Not at that time.

Q. You did not see it at all yourself?—A. I did not see the assault; no, sir.

Q. You didn't see any violence yourself at all, did you?—A. No, sir.

Q. At no time?—A. No, sir.

Q. And all you know on that subject is derived from information which others have given you, isn't it?—A. All I know about that is what I have heard, certainly, and what I have seen. Mr. Mertz, the Republican judge of election, his condition satisfied me that there was violence.

Q. Of course you know nothing in the world as to who were the parties to that difficulty?—A. No, sir; only from hearsay.

Q. Do you know who were the candidates for the smaller offices on the two party tickets at the last election?—A. I remember some of them; yes, sir.

Q. Do you remember that Mr. Kinney's brother was a candidate for constable?—A. Yes, sir.

Q. You know that?—A. Well, I read it in the papers.

Q. You saw it on the ticket, too, didn't you?—A. Yes, sir.

At this point, not being able to continue the taking of these depositions by reason of the absence of witnesses, I adjourned the further taking of the same until 9 a. m. to-morrow morning, December 17, 1902, then to be resumed at the same place and between the same hours.

ST. LOUIS, MO., *December 17, 1902.*

Met, pursuant to last adjournment, at 9.30 a. m. at the same place.

Parties present as before.

HENRY ZIMPELMANN, a witness produced, sworn, and examined on the part of the contestant, testified as follows:

By Mr. RICHEY:

Q. Your name is Henry Zimpelmann?—A. Yes, sir.

Q. You live at 1247 Franklin avenue?—A. Yes, sir.

Q. What is your age?—A. Forty-eight.

Q. What is your business?—A. Barber.

Q. You were Republican judge at the election of November 4, in the Twelfth Congressional district, precinct 1, Ward 15?—A. Yes, sir.

Q. Do you know Morris Josephson?—A. Yes, sir.

Q. He was the Republican clerk at that election at that precinct, was he?—A. Yes, sir.

Q. Who received the ballots as they were offered at that election?—A. Charlie Peters.

Q. He was the Democratic judge?—A. Yes, sir.

Q. Were the ballots, as they were received at that precinct, numbered and initialed?—A. They were not numbered. We started to number them and they got off and said they couldn't catch up any more, so they were not numbered after that.

Q. Who refused to number them?—A. Peters.

Q. Do you know how many ballots were numbered?—A. About five.

Q. Then of the entire number cast at that precinct only five were numbered?—A. Yes, sir.

Q. Were they initialed?—A. They were all initialed, and on some of them that were rejected ballots only one initial on them, either mine or his.

Q. How many rejected ballots were there?—A. Thirty-five. One of them was destroyed. It was tore in two.

Q. When the polls were closed were the ballots counted?—A. Yes, sir.

Q. Were the names of the voters as they came in and voted written down by the judges and clerks or any of them?—A. Yes, sir; by the clerks.

Q. How many voters came there and voted at that precinct that day?—A. One hundred and thirty-eight.

Q. That was the total number that came and voted?—A. Yes, sir.

Q. Now, when the polls were closed were the ballots assorted?—A. Yes, sir; we assorted the ballots.

Q. The Democratic tickets in one pile and Republican in another pile, and all other tickets were assorted?—A. They were all assorted.

Q. By themselves?—A. Yes, sir.

Q. Now, how many Democratic votes were there found?—A. One hundred and eighteen.

Q. How many Republican?—A. Forty-one.

Q. How many Socialist?—A. Seven.

Q. Allied party?—A. None.

Q. Were there any other votes?—A. Three others; I forget what they were.

Q. Three other votes besides those that you have named?—A. Yes, sir; I have them all on a paper, but I haven't it with me.

Q. Making a total of how many votes cast?—A. Two hundred and six.

Q. Then there were 206 votes found in the ballot box when but 138 men had appeared there and voted?—A. Yes, sir.

Q. Did the entire 206 ballots have initials upon their back?—A. No, sir.

Q. Do you know how many were without initials?—A. Eight or 10 of them were initialed, and the others only had one initial, either my initial or the other judge, Peters.

Q. And but five of the entire number were numbered?—A. Yes, sir.

Q. So that it would be impossible to pick out or determine what votes were passed by 133 of the voters, who appeared there and voted?—A. Yes, sir.

Q. Were the poll books or tally sheets either of them signed by the judges at the close of the election?—A. Not by the Republicans.

Q. Were they signed by the Democrats?—A. Yes, sir.

Q. For what reason did the Republican judges and clerks refuse to sign?—A. For the reason that we had seen them get more ballots in the box than was really passed.

Q. Was that excess discussed there among the judges and clerks?—A. It was discussed for a little while, as to how they got in there. I says, "I don't know." I says, "There would have been more Republican votes if I had done it."

Q. Do you know who put them in?—A. I could not say.

Q. Did you put them in?—A. No, sir.

Q. Were there any policemen present about the time of the canvass of these votes—the counting of them?—A. Yes, sir.

Q. What were their names?—A. One is named Kelly; the other I can't think of his name.

Q. Did they take any part in the discussion?—A. No, sir; didn't take any part in it at all, except when they seen that we would not sign. Kelly asked me, "What are you going to do about it?" and I says, "We are not going to do nothing." He says, "You are not going to keep us here all night?" I says, "I'm not going to sign;" and he says, "If you don't sign I'll send for the wagon."

Q. What wagon?—A. The patrol wagon.

Q. Did he send for the patrol wagon?—A. We rode to the city hall; we gave in our complaints and went home.

Q. Who put you in the wagon?—A. Kelly.

Q. Who else went in the wagon?—A. All of the judges and clerks.

Q. And neither of the Republican judges nor the Republican clerks ever did sign the returns from that precinct?—A. Never signed, with the exception of Hopfield; he signed one tally sheet, if I am not mistaken.

Q. Fred Hopfield?—A. Yes, sir; and after that he did not sign nothing any more. He says, "If you don't sign, I won't sign any more."

Q. Now, you were taken in the patrol wagon—or hoodlum wagon—to the board of election commissioners?—A. Yes, sir.

Q. Who did you see there?—A. I seen Mr. Aloe.

Q. Who else?—A. Mr. Aloe, Mr. Wood, and Mr. McCaffery was there.

Q. He was one of the election commissioners?—A. Yes, sir; he was there and another party; I forget his name.

Q. To whom did you make this statement?—A. Mr. Aloe and Mr. McCaffery, and the other party who was there.

Q. Who was the other party?—A. I could not say. Don't know his name?

Q. Was it Kuntz?—A. No, it was not Kuntz.

Q. Was it John M. Wood?—A. It might have been.

Q. Was the statement you made there taken down in shorthand?—A. It was taken down, yes; the following day or two we were called over there and it was taken down and we signed it.

Q. By whom?—A. By Kuntz.

Q. Do you know Kuntz's first name?—A. No, sir.

Q. He is clerk of the board of election commissioners, is he not?—A. Yes, sir.

Q. Was it signed by you?—A. Yes, sir; signed by all the Republican judges and clerks.

Q. Was it signed by the Democratic judges and clerks?—A. No, sir.

Q. Were you ever called before the grand jury?—A. No, sir.

Q. With reference to this precinct?—A. No.

Q. Were you ever sent for by the circuit attorney to appear before the grand jury?—A. No, sir.

Q. With reference to the election in that precinct?—A. No.

Cross-examination by Judge BOND:

Q. You say after the polls were closed you went to the board of election commissioners?—A. They took us over there in the wagon.

Q. You mean you did not walk?—A. Yes.

Q. Nobody arrested you?—A. No, sir; we were not arrested.

Q. You did not go the four courts, where the jail is, at all; simply got a ride to the election commissioners; isn't that all there was to it?—A. Yes, sir.

Q. The Democrats and Republicans both went?—A. Yes.

Q. And when you got there you met Louis P. Aloe and Mr. McCaffery?—A. Yes, sir.

Q. Who is Louis P. Aloe?—A. One of the election commissioners.

Q. Is he a Republican or Democrat?—A. He is a Republican.

Q. He is the Republican member of the board, isn't he?—A. According to the papers.

Q. Don't you know him?—A. I know him slightly; yes.

Q. Don't you know he is a Republican?—A. I could not swear to that, because I don't know his politics in voting.

Q. Do you know such a club in this town as the Merchants' League Club?—A. I do.

Q. Are you a member?—A. No, sir.

Q. Don't you know that Louis P. Aloe is president, and has been for a number of years?—A. I don't know; I never attended the meetings.

Q. Don't you find out from the newspapers that he was president?—A. Not that I know of. I might have read it, but it escaped my memory.

Q. What papers do you read?—A. The Globe and Republic both.

Q. What was the difference between the number of ballots which were counted and the number of men who voted at that precinct on the 4th day of November, 1902?—A. What was the difference between ballots in the box and the men who voted?

Q. Yes.—A. Sixty-eight.

Q. How do you know the number of men who appeared there and cast their ballots?—A. Each particular man was written down in the poll book—his name; also the number in front of it.

Q. Did you do that in each case?—A. The clerks did it.

Q. You didn't do it yourself?—A. No, sir.

Q. Whether they did it correctly or not, you don't know?—A. Both books correspond.

Q. What both books?—A. Republican and Democrat.

Q. Were you a clerk or judge?—A. A judge.

Q. How many other Republican judges were there?—A. One more.

Q. What is his name?—A. Fred Hopfeld.

Q. Was there one Republican clerk?—A. Yes, sir.

Q. Who was he?—A. Josephson.

Q. The record of the Republican clerk and the record of the Democratic clerk as to the number of men who voted agreed exactly?—A. Yes, sir.

Q. So that both showed the exact number?—A. Yes, sir.

Q. Your recollection is that was 138?—A. Yes, sir.

Q. How many tickets did you initial?—A. I could not say how many. When the rush would come we would put our initials on while they were voting. I initialed forty or fifty.

Q. You initialed in advance?—A. He initialed in advance; sometimes I initialed in advance and turned them over to him.

Q. To who?—A. Charley Peters, so he could put his initials on them.

Q. And sometimes he did it and turned them over to you?—A. Yes, sir.

Q. So that, turn about, they were initialed and passed over to you?—A. Yes, sir.

Q. And that would be done in blocks of 35 and 40 to avoid the rush?—A. Yes, sir.

Q. How many were in the box which did not bear the initials of either of the judges?—A. Eight or 10 that did not bear either one of our initials.

Q. Which was it, 8 or 10?—A. Well, say 10 of them.

Q. Why do you say that; do you know 10, rather than 8?—A. I could not exactly say whether 8 or 10, but in that neighborhood; I could not exactly swear.

Q. As to that you are not positive, are you?—A. I am not positive.

Q. You didn't make any memorandum of it at the time?—A. No; I did not.

Q. How many of those votes had only one initial?—A. There were 26 of them had one initial.

Q. Who's initial was that?—A. Different; some had my initial and some had his on.

Q. And the exact proportion you do not remember?—A. I don't quite remember.

Q. But those which bore one initial had either your initial or the other judge's?—A. Yes, sir.

Q. Who placed the ballots in the box?—A. Charley Peters.

Q. All the time?—A. Except when he went to meals; I put up one or two of them, according to how they came in: sometimes a number came in together.

Q. When he did not put them in the box you did?—A. I did.

Q. Now, did the polls close at the regular time?—A. Yes, sir.

Q. And commenced at the regular time?—A. Yes, sir.

Q. Was it an orderly election?—A. Yes, sir; there was no disturbance about it.

Q. Were all the ballots which went into the box numbered?—A. No, sir.

Q. Who did the numbering?—A. Peters started to number, and he had about five numbered and he came in and says he had neglected to number for a while. I says, "I told you you had better number them ballots," and he says, "I forgot, and we can't catch up, there's no use numbering now." I says, "You ought to number them;" he says, "It is too late now."

Q. So he explained to you how it was that they had not all been numbered?—A. Yes, sir.

Q. You understood that that was the explanation he gave?—A. Yes, sir.

Q. When you put them in did you number them?—A. No, sir.

Q. After that you quit numbering also?—A. Certainly. After he quit numbering I did not number any that I put in.

Q. So, after the habit of numbering was abandoned, then neither party numbered any more?—A. No.

Q. Who numbered the poll books?—A. Peters numbered the poll books.

Q. When Peters was away who did the numbering?—A. You mean the numbering of the poll books or of the votes?

Q. You have a number corresponding to each ballot?—A. They have on the poll books, printed.

Q. When that name is voted there, was it numbered?—A. That was in front of the name.

Q. Who checked it off?—A. We did not check off those numbers; the name was written behind the number.

Q. There was no necessity, then, for checking off?—A. No.

Q. So that was not done?—A. No.

Q. You know nothing about the presence of these extra ballots in the box, do you, personally?—A. No.

Q. If you had had anything to do with putting them in, you would have seen to it that they were Republican?—A. I don't know, I never tried anything like that in my life.

Q. That is what you said, or what I understood you to say in your examination in chief; you would not have put in Democratic ballots?—A. I guess not.

Q. Did you see anybody put in any votes there improperly?—A. I could not swear to that.

Q. You say you could not swear to that. Did you see it?—A. No, sir.

Q. You did not see the judge nor the clerk?—A. Didn't see nobody.

Q. You were there in the discharge of your duties as a Republican judge?—A. I was.

Q. And as far as the election was concerned it was one of peace and amity and good feeling; no difficulty there?—A. No difficulty; no, sir.

Q. The full complement of Republican judges were there, were they not?—A. Yes, sir.

Q. And they were engaged in the discharge of their duties, were they not, and the Republican clerks, in the discharge of their duties?—A. Yes, sir.

Q. And you all worked together?—A. Yes, sir.

Q. And if anything arose, as, for instance, about the numbering of the ballots, it was immediately explained, was it not?—A. It was explained between me and the other judge.

Q. Who was the other judge?—A. Charley Peters.

Q. He was the Democratic judge?—A. Yes, sir.

Q. So that you understood his explanation?—A. Yes, sir. He told me he forgot to number for a while, and there was no use numbering; he forgot it, and could not catch up, and it was not necessary to number any longer.

Q. After that no further numbering was done by either of you?—A. No, sir.

Q. Are you an active politician?—A. No, sir.

Q. You are a consistent Republican, aren't you?—A. I have been a Republican all my life.

Q. Do you take any interest in party machinery or the conduct of elections?—A. No, sir.

Q. Did you know anything about the rival factions in the Republican party immediately preceding the last election?—A. I did not, except what I read in the papers.

Q. What did you read in the papers?—A. Lots of items I have read that I could not recall.

Q. Did these items show that there was a disagreement on the part of some Republican leaders, which disagreement had divided the committee?—A. I do not remember that.

Q. Don't you remember that the old committee was reorganized by the expulsion of 20 of its members?—A. I do not.

Q. If those things transpired here they did not come to your knowledge?—A. No, sir.

Q. Don't you know whowere the leaders of the different elements of the party?—A. I do not, sir.

Q. Don't you know one was known as the Kerens faction?—A. I know that faction, yes; I know R. C. Kerens was one of them.

Q. Who was the other, Mr. Akins?—A. According to what I read; yes.

Q. Which one did you sympathize with?—A. I don't know that I sympathized with any of them; I was against Kerens: from what friends of mine had told me, etc., I did not like Kerens.

Q. Do you know Lofhagen?—A. The old gentleman I know; yes.

Q. You never heard of the young man?—A. I have seen him, but am not personally acquainted with him.

Q. Never knew of the political aspirations of the young man?—A. I know he ran for some office.

Q. He did not run long?—A. I could not say.

Q. You are not certain about that, are you; you would not swear that he ran for any office?—A. He was on the ticket.

Q. Did you notice his name on the ticket which was voted?—A. At the primary.

Q. Did you vote for him?—A. I object to answering that question.

Q. Why do you object?—A. It is nobody's business who I voted for.

Q. You have no other reason for objecting?—A. No.

Q. You do not dislike Mr. Lofhagen?—A. No; I do not.

Q. I am asking you if you voted for him at the primary election.—A. I voted at the primary election.

Q. In that primary election whom did you vote for?—A. I do not explain to nobody how I vote, whether I scratch the ticket or not.

Q. It is immaterial whether you scratched the ticket or not. Did you vote for Mr. Lofhagen?—A. I would not say whether I did or not.

Q. Which side did you range yourself with, Lofhagen, or Wagoner, or for Reynolds, in the Congressional fight?—A. I do not know as that has got anything to do with this at all. I do not have to explain what side I belong to in that line, or anything of that kind. I do not see why I should explain myself either, and tell you what I voted; that is nobody's affairs, except my own.

Q. You know that each side had its principals?—A. Certainly.

Q. And the principals of each side were trying to get the victory?—A. That is true, only it is for me to know how I voted; I don't have to tell you, for you to go to work and tell somebody else again.

Q. Did not this factional fight result out of the claim of the part of both parties, that each was nominated?—A. I do not know.

Q. Was not each side claiming regularity in their nomination?—A. I do not know.

Q. What did you think the fight was about?—A. I did not know what it was about.

- Q. At the primary election did you take any part as judge or clerk?—A. Yes, sir.
- Q. Which were you?—A. I was a judge.
- Q. At the primary election?—A. Yes, sir.
- Q. Who appointed you?—A. I was appointed by the election commissioners.
- Q. Who suggested your name?—A. Mr. Slingman.
- Q. Who was he for?—A. He is the committeeman of the Fifteenth Ward.
- Q. Which side was he for?—A. I do not know.
- Q. What is your best impression?—A. I could not say.
- Q. Which one did Slingman represent at the polls?—A. I did not see Slingman at all.
- Q. Which one did you, as judge, represent? Each side had its judge?—A. No, sir.
- Q. Didn't you represent either side?—A. There were two judges and one clerk. I had no interest, nothing at all.
- Q. Was the committeeman's ticket elected at that primary?—A. I could not say; I don't remember.
- Q. You did not charge your memory with which delegation was elected at the primary, although you were one of the judges?—A. The regular ticket was elected.
- Q. Which was the regular delegate put up by the committeeman?—A. Reynolds.
- Q. Was the Reynolds faction the one that won in that election in that ward?—A. Yes, sir; in that precinct, in our district.
- Q. There was a convention after that primary, was there not?—A. Not after that; there was a convention before that.
- Q. That primary brought about the election of the delegate?—A. That was the first primary; there was another primary afterwards.
- Q. I am not speaking of that.—A. That's the one I am speaking about; about the Reynolds faction.
- Q. At which primary did the Reynolds faction go in?—A. At the last primary the Reynolds faction won.
- Q. Was there a convention after that last primary?—A. No, sir.
- Q. How long have you lived in that ward?—A. I have lived off and on for thirty years.
- Q. What business are you in all the time?—A. Barber.
- Q. Always a barber?—A. Yes, sir.
- Q. Where is your shop?—A. At 1247 Franklin avenue.
- Q. Were you a delegate to any one of the Congressional conventions where the nominations were made for Congress by the Republican party?—A. No, sir.

Redirect examination by Mr. RICHEY:

- Q. Who was the receiving judge?—A. Charles Peters.
- Q. He was the one that was to number the polls as they were handed in by the voters?—A. Yes, sir.

MORRIS JOSEPHSON, a witness, being produced, sworn, and examined on the part of the contestant, deposed as follows:

By Mr. RICHEY:

- Q. What is your name?—A. Morris Josephson.
- Q. What is your age?—A. Forty.
- Q. Where do you live?—A. At 918 North Thirteenth street.
- Q. What is your business?—A. Salesman.
- Q. Where?—A. As traveling salesman.
- Q. You were one of the clerks at precinct 1 of the Fifteenth Ward in the Twelfth Congressional district at the election on the 4th of November last?—A. I was.
- Q. Did you make a record of the names of the voters as they appeared to vote at that precinct?—A. Yes, sir.
- Q. Was there any other list made of the men who appeared there and voted besides yours?—A. The Democratic clerk had the same as I did.
- Q. That was Mr. M. Brodie?—A. Yes, sir.
- Q. How many men appeared there and voted and had their names taken down by you and also by Mr. Brodie, the Democratic clerk?—A. One hundred and thirty-eight.
- Q. Were you present when the poll boxes were opened and the votes counted at the close of the polls?—A. Yes, sir.
- Q. Did you assist in making that count and in noting the result?—A. I sat there only as a clerk. I did not have the right to touch the ballots or do anything in regard to the counting after they assorted them up. That's all the rights I had, to sit right there and look at it.
- Q. Do you know how many votes were found in the ballot box?—A. As they

took them out of the ballot box each one was assorted and separated, the Republican and Democratic, and so on, and then we counted them up. There was 206.

Q. And how many voters had appeared there and voted throughout the day?—A. One hundred and thirty-eight.

Q. So that there were 68 more ballots found in the box at the close of the polls than there were people who had appeared there as voters and voted during the day?—A. Yes, sir.

Q. How many of these tickets were for the Democratic candidate, if you remember?—A. To tell you the real truth, as soon as we found there were 206 counted against 138 received, I did not interest myself at all, and I stopped right there and I done no work at all; I refused to do any more.

Q. Why?—A. Because there was 206 ballots against 138 voters.

Q. That is—A. Two hundred and six ballots found in the box against 138; and therefore I refused to have anything to do with it.

Q. That is, only 138 men had appeared there and voted?—A. Had been entered to vote.

Q. Do you know whether the ballots as they were received were numbered?—A. We started to number them and then we quit.

Q. Who received the ballots and started to number them?—A. The judge's name was Charles Peters.

Q. Was he the Democratic judge?—A. Yes, sir.

Q. Do you know how many he numbered?—A. That was very early, because he stopped right quick; it must have been probably 4 or 5.

Q. These first four or five ballots were numbered and then the numbering was discontinued?—A. Yes, sir; we stopped numbering.

Q. And you say Peters told why it was that they would not number them?—A. I made some remark that he has put in some already in there which had been numbered.

(Counsel for contestee desired to offer the objection to any further testimony on the part of this witness, and also to ask that the testimony of the last witness be stricken out entirely at this time for the reason that they had received no notice then as to these witnesses being summoned here or of the desire to take their testimony.)

Counsel for contestee stated that he had the notices there and didn't find the names of either of the last witnesses on any one of them.)

Q. Were the policemen there at the time the polls were closed and at the time the Republican judges and clerks refused to sign the returns?—A. Yes, sir.

Q. What policeman—Officer Kelly?—A. I don't know his name; I suppose that must be it. I can not tell positively his name. I am not acquainted with him.

Q. What did he say about the matter, about the refusal to sign?—A. Didn't say anything. He only said: "Of course, if you don't come to a settlement, we will have to get the wagon and go away with the records." That's all that was mentioned by the policeman. I have no complaint against them at all. They did what was right. As for the policeman, he said, "If we don't come to a settlement and sign we can't stay here. I will get the wagon and go to the city hall."

Q. The judges and clerks were all taken to the city hall in the hoodlum wagon?—A. Yes, sir; to the election commissioners' office.

Q. Were the returns from that precinct ever signed?—A. Not by the Republican party, except the tally sheet was signed by one of our judges.

Q. Were they signed by the Democratic judges?—A. Yes, because he did all the work. As clerk I didn't want to have anything to do with it, so we had to fill them out.

Q. Were the returns from that precinct signed by Peters?—A. Yes, sir.

Q. And by Fox, the other Democratic judge?—A. Yes, sir.

Q. And by Brodie, the other Democratic clerk?—A. Yes, sir.

Q. That certified that these returns were correct?—A. Yes, sir.

Q. Did the Republican judges refuse to sign?—A. I didn't sign; neither did Zimpelmann, the judge.

Q. Were you present some days after that election at the board of election commissioners' office, where this statement was made by the Republican judges and clerks of what happened at this precinct on election day?—A. Yes, sir.

Q. That statement was taken down in shorthand?—A. It was taken down in shorthand.

Q. Were you ever called before the circuit attorney or the grand jury to testify about this matter?—A. No, sir.

Q. Were all of the polls found in the box initialed, that is, did they bear the initials of the judges of election or of any of the judges?—A. They must have been.

I could not positively say how many, but there was out of the 35 which has been rejected about 25 or 26 had one initial on them and one Republican judge's initial and no Democratic or the Democratic and not the Republican, so we threw them out.

Q. Was there a part of a ballot found in the box?—A. There was one torn right in half.

Q. What kind of a ballot was it?—A. I am not positive.

Q. Was it initialed?—A. That I am not positive about.

Q. Was it numbered?—A. No, sir.

Cross-examination by Judge BOND:

I cross-examine this witness under protest, saving the point that there is no notice given of his examination in the notice to take depositions, and, being surprised, we are not prepared to take his testimony without notice, and we make cross-examination under protest.

Q. Do you know where the office of the circuit attorney is?—A. No, sir.

Q. Do you know who is the present circuit attorney?—A. I know him. I have seen him on the street.

Q. You have heard his name?—A. Folk.

Q. Do you know what building in the city his office is in?—A. No, sir.

Q. You don't know where his office is located?—A. I don't know.

Q. Do you know where the criminal court sits?—A. Neither do I know that; that is, if I was to go right straight to it, I don't know where it is.

Q. Do you know where the grand jury has its sessions?—A. No, sir.

Q. You never have been before the grand jury?—A. No, sir.

Q. After the polls closed in precinct 1 of the Fifteenth Ward, Twelfth Congressional district, on the day of the election, who went to the election commissioners' office?—A. After the polls was closed none of us went; we rode.

Q. How did you ride?—A. On the hoodlum wagon.

Q. You mean the patrol vehicle?—A. The patrol wagon or hoodlum wagon.

Q. You got into it yourself?—A. Yes; certainly.

Q. Nobody arrested you?—A. No.

Q. You don't claim that anybody arrested you?—A. That is the way I had to go, whether you call it an arrest or not; I couldn't say I had to go.

Q. That is, you rode instead of walked?—A. Yes; it was very nice to have a ride over there.

Q. When you got to the election commissioners' office, whom did you meet?—A. If I am not mistaken, the judges. The Democratic judges had the control of the books and everything, so we went up, and I sat right behind, and we went into the election commissioners' office.

Q. Who were there?—A. Mr. Aloe for one and Mr.—I don't know the name—and the party on the other side.

Q. You forget all the names but Mr. Aloe's, right now?—A. Yes, sir; that's an easy name to mention.

Q. You do mention his name?—A. I can't remember the other party's name. It was McCarty or something like that; an old gentleman with gray hair. In fact, I didn't stay there two minutes.

Q. Mr. Aloe and a gray-haired gentleman were the ones you met?—A. Yes.

Q. You know Mr. Aloe's name?—A. I know Mr. Aloe's name because it is an easy name. I would have told the other first if I knew it.

Q. And you would have preferred to say the other first if it had been an easy name? Well, you had been there all day during that election?—A. Yes; I had been there all day, excepting only one or two minutes.

Q. You witnessed all the proceedings?—A. Yes, sir.

Q. You didn't see anybody put any ballots in the box which had not been voted, did you?—A. I will never swear to that, because I had not seen it.

Q. You did not put any in yourself which had not been voted?—A. I only had the right to put one in; that's all I put in.

Q. You put that in?—A. I tried to, yes, sir; I did.

Q. What time did you vote?—A. Not to be positive, between 8 and 9, or probably after 9; I didn't look at no time; I presume that must have been the time.

Q. How long had the election been going on when you voted?—A. Probably a couple of hours.

Q. What time did the polls open?—A. I was there at 6 o'clock. They opened at 6. It was not very busy.

Q. How many votes did you get in the first hour?—A. I have no record.

Q. Did you get as many as 30 or 40?—A. No, sir.

Q. Twenty or 30?—A. I have no record. I couldn't say.

Q. The second hour?—A. I have no record.

Q. As many as 30 or 40?—A. Perhaps so.

Q. Did anybody vote for two hours?—A. Positively.

Q. As many as a dozen?—A. I can not say.

Q. As many as two dozen?—A. Probably yes, and probably no. I have no record. I didn't have the time there.

Q. If you had stood there for two hours and not as many as a dozen men had voted, wouldn't you have remembered?—A. I don't know.

Q. You think, then, you might have stood there two hours and not known whether a dozen votes were cast or not?—A. I don't know how many votes were cast. All I am speaking about is to answer the questions you ask me; two hours or probably more, and I can not answer you how many voted in two hours.

Q. How many voted before you?—A. That I don't know.

Q. As many as a dozen?—A. I don't know.

Q. You have no recollection?—A. No, sir.

Q. You think you might have stood there until between 8 and 9 o'clock and not remembered whether as many as a dozen men voted in that time?—A. Probably a dozen, probably 20.

Q. You are satisfied as many as a dozen?—A. Positively until 9 o'clock there was more than a dozen.

Q. You are absolutely sure?—A. Yes, sir.

Q. Your ballot was numbered, then, was it?—A. My ballot wasn't numbered.

Q. Are you an active politician?—A. No, sir.

Q. You take very little interest in elections?—A. Yes; I am very sorry for what I have done already at this. I never will be there again.

Q. Were you in the room while Zimpelmann was testifying this morning?—A. I just came a while ago.

Q. Did you hear Mr. Zimpelmann being asked questions?—A. Yes, sir.

Q. You heard his testimony?—A. Yes, sir.

Q. You heard me asking him questions? You heard Mr. Richey asking him questions?—A. Yes, sir.

Q. Do you know anything about the internecine war in the Republican party prior to the last election?—A. Not a particle.

Q. Do you read the newspapers?—A. I read the newspapers, but take very little stock in them.

Q. You know nothing about this fight?—A. No, sir.

Q. But all worked together in unity and harmony at the primary elections before the regular election?—A. I don't know; I did not serve.

Q. You didn't vote at the primaries?—A. Yes; I voted.

Q. Which delegation did you vote for?—A. That's for me to find out.

Q. Why didn't you look at the delegation and find out?—A. I can not tell you that. That didn't bother me at all in this matter.

Q. If you had read the delegation you would find out?—A. I am not a politician.

Q. You saw the names you were voting for, didn't you?—A. That's the only justice a poor man gets—is his vote, if it is counted.

Q. Who was the candidate on the primary election on the Republican ticket on both sides? Did they count your vote?—A. I could not say.

Q. So you don't know whether they counted your vote in the primary election or not?—A. Positively know, I don't know.

Q. You fared better in the general election because you saw it go in the box?—A. Yes, sir.

Q. Who is central committeeman of your ward?—A. Mr. Slingmann, I believe.

Q. Did you attend the meeting of the judges and clerks of election at the Merchants' League Club prior to the election on November 4?—A. I refuse to answer that question, because I don't think it is necessary.

JOHN PHILLIPPI, a witness, being produced, sworn, and examined on the part of the contestant, testified as follows:

By Mr. RICHEY:

Q. Your name is John Phillippi?—A. Yes.

Q. Where do you live?—A. 2800 Manchester avenue.

Q. In the tenth precinct, Fourteenth Ward?—A. Yes, sir.

Q. You were appointed one of the judges of election for the last election?—A. Yes, sir.

Q. Did you serve as judge?—A. I served at the registration on the morning of the election; I was put out six minutes after 6.

Q. And you didn't serve as judge because you were excluded at six minutes after 6?—A. When I got there six minutes after 6 somebody was in my place.

Q. Who was it?—A. A gentleman by the name of Al Walters.

Q. Do you know his politics?—A. No.

Q. You were appointed to serve as Republican judge?—A. Yes, sir.

Q. Did he serve in your place?—A. Yes, sir.

Q. Do you know the address that he gave?—A. 2817 Clark avenue. Somebody else gave me a different address first, but he lives at that address.

Q. When did you say you reported for duty?—A. I reported six minutes late.

Q. According to the clock in that room?—A. Yes, sir.

Q. And for that reason you were denied admittance?—A. I had the keys in my pocket to the poll box. When I got there somebody told me I was too late, and they had the box open; had the ballots out on the table working on them, although I had the key in my pocket. They demanded the key from me. I told them I would not give it up, and later in the day I gave it to Mr. Ziegler.

Cross-examination by Judge BOND:

Q. Mr. Phillippi, don't you know it was twenty-five minutes after 6 before you reported at the polling place?—A. I was down at the city hall at twenty-five minutes after 6 trying to find the Republican election commissioner, and I walked all the way down there according to the clock in the election commissioner's office.

Q. Mr. Phillippi, don't you know that this was the fact: That after you had failed to appear for fifteen minutes after 6 o'clock the judges of election telephoned to the commissioner's office and a man was sent out with a key, and with that key they had opened the box and that it was twenty-five minutes after 6 when you finally appeared there and found the box opened with the key from the office?—A. All I say is, I go according to the clock in the room. The clock in the room showed six minutes after 6 and there was a man in there and he put me out; said I had no business in there. He claimed the clock was slow.

Q. Who was this man who claimed the clock was slow?—A. His name is McDermott. The polls were not open during that time.

Q. And to have gotten that box open they must have gotten the key from the election commissioner's office?—A. Undoubtedly they did. That is something I don't know.

JAMES BANSTON, a witness, being produced, sworn, and examined on the part of the contestant, testified as follows:

Q. State your name?—A. Mr. James Banston.

Q. How do you spell it?—A. B-a-n-s-t-o-n.

Q. What is your address?—A. 512 North Levee.

(Contestee objected to the interrogation of this witness for the reason that he had received no notice that he was to testify to-day.)

Q. What is your age?—A. Twenty-three years old.

Q. What is your business?—A. Steamboat.

Q. Are you a registered voter in the city of St. Louis?—A. Yes, sir.

Q. Registered from what number?—A. 512 North Levee.

Q. Did you vote at the last Congressional election? A. Yes, sir.

Q. Do you know the premises 409 North Levee?—A. Yes, sir.

Q. How are those premises occupied?—A. Occupied? All I can say—I can only tell what I have seen done.

Q. Who rents those premises?—A. Will Lee.

Q. A colored man?—A. Yes, sir.

Q. What is it, a saloon?—A. Yes, sir.

Q. Do you know the name of it?—A. The East Branch of the Colored Jefferson Club.

Q. Is William Lee the manager there?—A. Yes, sir.

Q. Was that saloon opened on election day?—A. Yes, sir.

Q. All day?—A. Yes, sir.

Q. Did men from those premises, 409 North Levee, vote at the election on that day?—A. Yes, sir.

Q. What sort of men were they?—A. Some dark men, some brown-skinned men, some yellow men.

Q. Do you know whether any men from there voted more than once?—A. Yes, sir.

Q. How many times did they vote?—A. As much as three or four times.

Q. Whereabouts did they vote?—A. On Third and Olive.

Q. What did William Lee have to do, if anything, with taking them to Third and Olive?—A. He gave them slips, told them how to vote, and took them up there

and stood on the corner, told them what to vote, how to vote, came back and gave him a ticket.

Q. What was on the slips or tickets you speak of?—A. Different men's names; not their names.

Q. Were they the names on which these men to whom the slips were given were to vote?—A. Yes, sir.

Q. Then, after they had voted, what did they do with these slips or cards?—A. Brought them back and gave them to him.

Q. To William Lee?—A. Yes, sir.

Q. He stood where?—A. Right across from the place—right across the corner.

Q. Where he could see them vote?—A. Yes, sir.

Q. Then where did the men go?—A. Went to the saloon and got drinks.

Q. Then what did they do?—A. I guess they hung around there.

Q. Did they vote a second time?—A. They went back, changed their coats and hats, came back, and voted again.

Q. Where did they change their coats and hats?—A. At the branch of the Jefferson club.

Q. 409 North Levee?—A. Yes, sir.

Q. And when they went back and voted again, did Lee go with them as before?—

A. Yes, sir; every time they went up there he went with them.

Q. Were different slips given? You saw that?—A. Yes, sir; different slips given them. He would go back and he would give them different slips and tell them how to vote.

Q. How many men voted more than once in that way?—A. As much as 12.

Q. How many times did they vote?—A. Three or four times.

Q. How do you know that?—A. I seen it with my own eyes.

Q. Were you solicited to vote in that way?—A. Yes, sir.

Q. By whom?—A. By Will Lee.

Q. Tell what Lee said?—A. He just asked me if I had voted, and I told him yes. He asked me how long before, and I told him. He says, "If you have not voted, I will pay you for your vote. I told him I didn't care about voting any more; I voted once; I couldn't vote another time.

Q. Where were you when Lee gave these men slips?—A. Standing in the saloon.

Q. At 409 North Levee?—A. Yes, sir.

Q. Did you know any of the men that voted more than once?—A. I knew ail of them.

Q. Do you know the names of any of them?—A. I know one of them; they called him "soldier."

Q. How many times did he vote?—A. Three times.

Q. Do you know upon what names?—A. No, sir; I don't know what names. He didn't allow me much privilege; he run me out of his office.

Q. Who run you out of his office?—A. Lee, a man at the bar.

Q. How far was it, about, from 409 North Levee to Third and Olive, where the voting was done?—A. I suppose about three or four blocks.

Q. How many times did you follow Lee and these gangs?—A. From 9 o'clock in the morning up until half past 6.

Q. In the evening?—A. Yes, sir.

Q. Did you notice the names on any of these slips?—A. No, sir; I didn't; I didn't have that privilege to notice them.

Q. Do you know how many rooms there are at 409 North Levee?—A. There are no rooms at all. There is a big open attic; two or three beds up there.

Q. Just an attic over the saloon?—A. Yes, sir.

Q. Only two or three beds?—A. Yes, sir.

Q. Do they have a restaurant at 409 North Levee?—A. No; never been since they had the saloon.

Q. Does a family live over 409?—A. No, sir.

Q. It is one story and an attic?—A. Three stories.

Q. What is there in the second story?—A. A dance hall.

Q. It covers the whole floor?—A. Yes, sir.

Q. On the third floor, what is there?—A. Supposed to be a room for the help around the house.

Q. How large a room is the third story?—A. It's a pretty large place up in the attic.

Q. Is the third floor the floor you call the attic?—A. Yes, sir.

Q. There is no room above the third floor?—A. No, sir.

Q. It is all one room?—A. Yes, sir.

Q. You have been up there?—A. Yes, sir.

- Q. When were you up there?—A. About a month ago.
 Q. How many beds were there then?—A. Three.
 Q. Double beds or single?—A. Single.
 Q. Three single beds?—A. Yes, sir.
 Q. How long is that attic, about?—A. About as wide as from this room to that door back there.
 Q. Twenty feet?—A. Yes, sir.
 Q. How wide is it?—A. I don't know as I could tell.
 Q. Wider than this room?—A. Yes, sir; a great deal wider than this room.
 Q. As wide as this room is long?—A. No, sir; not exactly that wide.
 Q. This front part?—A. Yes, sir; I suppose it is that wide.
 Q. Twenty-two to 26 feet?—A. Near that width; yes, sir.
 Q. Did you see any money change hands that day?—A. Yes, sir.
 Q. Who had money?—A. Will Lee.
 Q. What did he do with it?—A. Gave it to these men that voted. Didn't give them much, a little salary, they didn't get much for their trouble.
 Q. Do you know how much?—A. Ten or 15 cents apiece and a drink.
 Q. That was given to those men that you saw voting more than once?—A. Yes, sir.
 Q. You say they changed clothes. What do you mean?—A. Changed hats and coats. Every time they went up they put on a different hat and coat.
 Q. After they voted once they would go back and change hats and coats and go up and vote again?—A. Yes, sir.
 Q. And get a fresh slip each time to vote on?—A. Yes, sir.

Cross-examination by Judge BOND:

- Q. What did you say your business is?—A. Steamboat.
 Q. What do you mean by "steamboating"?—A. Running on the river.
 Q. Running on the river, how?—A. On the decks of the boat.
 Q. Do you mean a roustabout?—A. Yes, sir.
 Q. You are a roustabout on one of the river steamers, are you?—A. Yes, sir.
 Q. What is your name?—A. James Bauston.
 Q. How do you spell it?—A. James B-a-n-s-t-o-n.
 Q. Spell it again.—A. J-i-m B-a-n-s-t-o-n.
 Q. You are a roustabout on the river?—A. Yes, sir.
 Q. How long have you been engaged in that business?—A. About three years.
 Q. What boats are you working on?—A. The *City of Memphis* and different boats.
 Q. When did you leave there?—A. Day before yesterday.
 Q. Why did you leave it?—A. I left for the Tennessee River wharf boat.
 Q. Do you write well?—A. No, sir; I don't write well.
 Q. Where are you from?—A. Vicksburg, Miss.
 Q. Did you live there before?—A. Yes, sir.
 Q. Before you commenced the roustabout business?—A. Yes, sir.
 Q. Who is the mate on the boat on which you served last?—A. Ben Wennus.
 Q. Who is the other mate?—A. I do not know, for certain.
 Q. Do you know John Falannag?—A. Yes.
 Q. Who is he?—A. He is the mate on the *Stack Lee*.
 Q. Is that a boat?—A. Yes, sir.
 Q. He is the mate?—A. Yes, sir.
 Q. Do you know John Flanagan?—A. Yes, sir.
 Q. Is he a man of color?—A. He is a white man.
 Q. Did you ever serve under him?—A. No, sir; but I know him.
 Q. Do you know Lee Brown?—A. Yes, sir.
 Q. On what boat does he serve?—A. I do not know; I suppose he is in the South.
 Q. He is serving on some boat?—A. Yes, sir.
 Q. He knows you?—A. I suppose so.
 Q. Don't you know he knows you?—A. I could not be positive.
 Q. How do you know him?—A. I know his people.
 Q. Does John Falanag know you?—A. Yes, sir.
 Q. Does he know you well?—A. I don't know whether he knows me well or not.
 Q. Do you know him well? Did you ever talk with him?—A. Yes, sir.
 Q. About what?—A. About work.
 Q. Did you ever talk with him about anything else?—A. No, sir.
 Q. How long have you known him?—A. About two years.
 Q. Do you know any of these men in Mississippi?—A. No, sir; I did not know any of these men.

- Q. What did you do in Mississippi?—A. Worked in a grocery store and a hotel.
- Q. Do you know Hamburger Bill?—A. Yes, sir; I have seen him.
- Q. Where did you see him?—A. On the *Grey Eagle*.
- Q. What is the *Grey Eagle*?—A. A steamboat.
- Q. And you worked with Hamburger Bill?—A. Yes, sir.
- Q. Is he a white man?—A. Yes, sir.
- Q. Do you know Lou Huff?—A. I have heard of him.
- Q. Where did you hear of him?—A. Around home.
- Q. Around where?—A. St. Louis.
- Q. Did you ever work with him?—A. No, sir.
- Q. Did you ever work for him?—A. No, sir.
- Q. Ever do any business with him?—A. No, sir.
- Q. Who told you about him?—A. I have seen him; have talked with him.
- Q. Where did you see him?—A. On the levee.
- Q. At any particular place?—A. I seen him standing around Brien's saloon.
- Q. What were you doing there?—A. Standing around there.
- Q. You can not read, can you?—A. No, sir.
- Q. You write very poorly, do you?—A. No, sir; I can't write nothing.
- Q. You say you were present at the saloon of Bill Lee on the election day?—A. Yes, sir.
- Q. What were you doing there?—A. Standing around there.
- Q. Why had you gone there?—A. Around there like anybody else would be around there.
- Q. Who sent you there?—A. No one.
- Q. How far was that saloon from Third and Olive?—A. I suppose about three or four blocks.
- Q. Isn't it four blocks?—A. I suppose so; about four blocks.
- Q. You say the saloon was about four blocks from Third and Olive?—A. Yes, sir.
- Q. Don't you know that it is six blocks?—A. No, sir.
- Q. Don't you know it is nearer six than four blocks?—A. I don't know whether it is six or four blocks.
- Q. Where did you have your post on the day of election?—A. I did not have my post anywhere.
- Q. Where did you stand?—A. I did not stand anywhere: I was standing around the saloon.
- Q. How long did you stand there?—A. From 9 o'clock until 6 or half past; at different times.
- Q. When did you go to Third and Olive?—A. About half past 9, and I went up there at 11 and went up there at 12 and at 3.
- Q. You made four visits?—A. Yes, sir.
- Q. Who went with you?—A. No one but myself.
- Q. Who else was there when you went there?—A. Lee and the crowd.
- Q. Did you see any slip of paper, was it shown to you to read, that Will Lee gave to any colored man on that day?—A. A friend of mine did.
- Q. Did you see it?—A. No, sir; I did not see it.
- Q. You never saw any slip at all?—A. I saw a slip—didn't nobody show it to me.
- Q. What—was there any writing on it?—A. Yes, sir.
- Q. Did you read it?—A. No, sir.
- Q. You did not read anything at all, on any slip, yourself?—A. No, sir.
- Q. That had the names of anybody on?—A. No, sir.
- Q. Where were these slips given out?—A. At Will Lee's office upstairs.
- Q. Where was that office upstairs?—A. On the second floor.
- Q. It was on the second floor at the time?—A. Yes, sir.
- Q. Who was on the second floor?—A. Me and some fellows.
- Q. What were you doing in there?—A. Standing there looking on like anybody else.
- Q. Then you were not standing down in front of the saloon but were in his office part of the time?—A. Up in his office and downstairs in the saloon until they made me go away.
- Q. Did they make any concealment of anything from you?—A. Only asked me to vote.
- Q. And you had voted?—A. Yes, sir.
- Q. You do not know the name of a single man that received a slip?—A. One man we call Soldier.
- Q. Is he also a colored man?—A. Yes, sir.
- Q. What is his business?—A. Steamboating.

Q. On the same boat you worked on?—A. Me and him come off of the last boat together.

Q. What was on these slips you do not know of your own knowledge?—A. No, sir; only what I have heard.

Q. You did not read any of them?—A. No, sir.

Q. Did you go into the polling place after you had voted?—A. No, sir.

Q. Who stood at the door of the polling place?—A. Nobody. A policeman was in the inside, sitting down.

Q. After you voted you came out of the room, did you?—A. Yes, sir.

Q. Did you go back in the room any more?—A. No.

Q. Did you personally see any man vote after you had voted in that room?—A. No, sir.

Q. How was the voting that day, pretty lively?—A. Yes, sir; it was, with Lee.

Q. You saw one vote cast, that was your own?—A. Yes, sir.

Q. You did not see any other?—A. No, sir.

Q. Did you complain to any of the Republican headquarters about what you had observed there that day?—A. No, sir; I went out that night to testify to what I knew.

Q. And did you testify?—A. Before the Republican committee.

Q. Where was that?—A. Somewhere around up there; I don't know where it is; on Broadway and Elm or Poplar.

Q. Who did you find there?—A. Lots of white men up there,

Q. Who else?—A. Nobody else but me and these white men.

Q. Were you the only colored man?—A. One came before I did.

Q. A colored man?—A. Nobody when I was there; there had been a man there.

Q. When you were there, you were the only colored man?—A. Yes.

Q. Why did you go there?—A. I thought I had a right to go there, and went there.

Q. How did you know that was Republican headquarters?—A. A white man told me.

Q. Who was he?—A. I don't know his name.

Q. Where were you when they told you?—A. On the levee.

Q. What time of day was it?—A. About half past 6.

Q. Why did they tell you that?—A. I thought it was wrong the way they did down there, and they sent me up there.

Q. Who was the man who sent you up?—A. I don't know his name.

Q. Did he go with you?—A. No, sir.

Q. Did he give you his name?—A. He didn't give me his name.

Q. What was it?—A. He didn't give it to me.

Q. You don't know his name?—A. No, sir.

Q. Did he tell you where to go?—A. He told me where to go.

Q. Where did he tell you to go?—A. Up to Broadway and Elm, I believe it was; I found the building all right.

Q. What did you do when you went in there?—A. I testified to what I knew and what I seen done.

Q. Who employed you that day?—A. No one employed me.

Q. Were you getting anything for what you were doing that day?—A. No, sir; didn't get a cent.

Q. Did anyone promise you anything?—A. No, sir.

Q. Did you get anything that night?—A. No, sir.

Q. Did anyone promise you anything that night?—A. No, sir.

Q. You asked when to come back?—A. No, sir; I did not ask nothing about it.

Q. Did they tell you up at Broadway and Elm when to come back?—A. They told me they would let me know when they needed me again.

Q. When did they let you know?—A. The other day.

Q. What other day?—A. Monday, I believe, when I came up on that boat.

Q. How did they find you?—A. I left my address up there where I lived at.

Q. Did you live at the same place?—A. Yes, sir; I have lived there for two years.

Q. When did you register?—A. I don't know what day of the month.

Q. What year was it?—A. This year.

Q. What time this year?—A. I don't know the day of the month.

Q. This month?—A. No, sir; not this month.

Q. What month?—A. When everybody else registered.

Q. When did they register?—A. I could not tell you the day of the month.

Q. What month?—A. I don't know the month it was.

Q. Wasn't it in December?—A. I don't think so.

Q. Do you know Jas. P. Murphy?—A. Yes, sir.

- Q. Who is he?—A. A policeman.
 Q. Where is his beat?—A. On the levee.
 Q. How long have you known him?—A. About a year.
 Q. How did you come to know him?—A. Seen him around.
 Q. Were you ever arrested by him?—A. No, sir; never was in my life.
 Q. By any policeman?—A. Yes, sir.
 Q. When?—A. By Dockery.
 Q. When?—A. Last winter.
 Q. About what time last winter?—A. Along in January.
 Q. What for?—A. Fighting.
 Q. Were you ever arrested before?—A. No, sir; not down there.
 Q. Where were you arrested?—A. Uptown.
 Q. What for?—A. Fighting.
 Q. Who arrested you then?—A. Jim O'Brien.
 Q. Who was he?—A. An officer.
 Q. Do you mean a policeman?—A. Yes, sir.
 Q. When were you arrested?—A. On the levee, by Dockery.
 Q. How long have you known Jim O'Brien?—A. About two or three years.
 Q. Are he and Dockery the only policemen that ever arrested you?—A. Yes, sir.
 Q. Were you ever arrested any place else?—A. No, sir.
 Q. By anybody?—A. No, sir.
 Q. And came from Vicksburg, Miss.?—A. Yes, sir.
 Q. Were you ever arrested there?—A. No, sir.
 Q. Do you know Officer Flaherty?—A. Yes, sir.
 Q. When did you get acquainted with him?—A. I have known him two or three years.
 Q. Did Flaherty ever arrest you?—A. No, sir.
 Q. Where is his beat?—A. On Clark avenue.
 Q. Where were you when you were arrested uptown?—A. At Second and Morgan.
 Q. Do you know Bill Curtis?—A. Yes, sir.
 Q. Who is he?—A. He used to be a saloon keeper.
 Q. What is he now?—A. I don't know.
 Q. Did he keep a saloon on—A. On Eleventh and Morgan streets.
 Q. Is that near the place where you were arrested?—A. I was arrested on Twelfth street.
 Q. Twelfth and Morgan?—A. Yes, sir.
 Q. About a block away?—A. Yes, sir.
 Q. Do you know Detective Gordon?—A. Yes, sir.
 Q. How long have you known him?—A. About two or three years.
 Q. Do you know Mr. Wilkinson?—A. Yes, sir.
 Q. How long have you known him?—A. About a year. He's a detective.
 Q. What is his business?—A. He is a detective.
 Q. Are there any other policemen and detectives that you know?—A. No, sir.
 Q. That is the extent of your acquaintance, is it?—A. Yes, sir.
 Q. Do you know Lee Olive?—A. No, sir.
 Q. Ever hear of him?—A. I heard of him; don't know anything about him.
 Q. Who told you about him?—A. I heard a man speak of him.
 Q. What did he say he was?—A. An officer, a detective, or something.
 Q. Have you ever been in his place?—A. No, sir.
 Q. Do you know where his place is?—A. No, sir.

Redirect examination by Mr. RICHEY:

- Q. These other men that were doing the repeating, they were roustabouts, were they?—A. Yes, sir; every one of them.

THEODORE BONK, a witness, being produced, sworn, and examined on the part of the contestant, testified as follows:

By Mr. RICHEY:

- Q. Your name is Theodore Bonk?—A. Yes, sir.
 Q. You live at No. 2738 Manchester avenue?—A. Yes.
 Q. You were a Republican clerk at the tenth precinct on election day?—A. Yes, sir.
 Q. Do you know John Phillippi?—A. Yes, sir.
 Q. Was he one of the judges at that precinct on that election?—A. Yes, sir; he was until the last day of the election.
 Q. Were you there when he came?—A. Yes, sir.

- Q. On election morning?—A. Yes, sir.
- Q. What time did he get there?—A. At five minutes past 6.
- Q. Did he have the key to the boxes?—A. Yes, sir.
- Q. What had been done before he got there?—A. They broke open the poll books.
- Q. Who did?—A. Murphy.
- Q. That is Paul Murphy, the Democratic judge?—A. Yes, sir.
- Q. Do you know A. Walters?—A. I know he served there that election day.
- Q. Served as judge?—A. Yes, sir.
- Q. In the place of John Phillippi?—A. Yes, sir.
- Q. Do you know his politics?—A. No, sir.
- Q. How long have you lived in that neighborhood and precinct?—A. A little over three years.
- Q. Had you ever met Walters before?—A. No, sir.
- Q. And because Phillippi was not there at five minutes past 6, according to the clock, Walters was put in his place?—A. Yes.
- Q. Walters was there on hand?—A. Yes, sir.
- Q. Who was the other clerk?—A. Thomas Burke.
- Q. Is he a Democrat?—A. Yes, sir.
- Q. When men came in and voted, were their names taken down as they came in and offered their votes?—A. Yes, sir.
- Q. By whom?—A. By Thomas Burke, the Democratic clerk.
- Q. Was there a list furnished you for taking down the names?—A. One poll book: yes, sir, where he put the names down.
- Q. Did you take down the names?—A. No, sir; there was only one poll book there.
- Q. Did you have any book?—A. I says, "There ought to be two." Murphy says, "There is one; that's all we need."
- Q. Was Murphy the Democratic judge?—A. Yes, sir.
- Q. Then the only list that was kept that day was the list kept by Burke?—A. By Burke.
- Q. Are you pretty well acquainted in that precinct?—A. No, sir.
- Q. Did you see any voter or anyone vote more than once at that place on that day?—A. Yes, sir.
- Q. How many people voted more than once?—A. Three that I seen who voted twice.
- Q. Do you know who they were?—A. No, sir.
- Q. Did you make any protest against their voting the second time?—A. There was such a crowd in at the time that I could not look up the names in the book, so I stood up on a chair.
- Q. Why couldn't you?—A. Because—I stood aside and saw three men; they went right into the booths again and voted. They went in and voted and came around and then went in the second time and voted.
- (The contestee made objection to this testimony and also asked that the testimony of John Phillippi be stricken out for the reason that the notice that he had calls for the testimony of these witnesses to be taken, of the witnesses Phillippi and Bonk, to be taken before Eugene Buder, as notified in the notice, and there has been no agreement to a change in notaries.
- He objected further to the testimony on the ground that no notification had been given of the taking of the testimony of these witnesses, the names being spelled wrong.)
- Q. When you saw these men voting the second time, what did you do, if anything, or say?—A. I did not say anything.
- Q. You spoke to nobody about it?—A. No, sir.
- Q. Did you talk there that day with any of the judges about it?—A. I had a talk with Zeigler about it.
- Q. He was the Republican judge?—A. Yes, sir.
- Q. When did you talk with him. What time of day?—A. Along toward evening.
- Q. Why didn't you make protest at the time this happened, when these men came in to vote the second time?—A. I seen it was not necessary.
- Q. Why not?—A. I had nothing to say there.
- Q. Who had nothing to say?—A. The Republican judges and clerks.
- Q. Why?—A. I seen they were going to do everything themselves.
- Q. What did they do?—A. The crowd came in and Zeigler protested, said not to leave in more than four men at a time, and the officer left and the whole bunch came in.
- Q. What officer, a policeman?—A. Coates, his name is.
- Q. When Zeigler protested against more than four men coming in at a time, the officer left?—A. Yes, sir.

Q. How many little stalls were there for the accommodation of voters there?—
A. Four.

Q. When these men that voted the second time came in, how many voters do you think were in the place?—A. There was over a dozen of them.

Q. Did Zeigler protest to Officer Coates?—A. Yes, sir.

Q. More than once?—A. Yes, sir.

Q. How many times?—A. Twice that I know of.

Q. What did Coates say, if anything?—A. Not anything.

Cross-examination by Judge BOND:

Q. Did you remain at the polling place all day?—A. Yes, sir.

Q. After the conclusion of the voting, what was done?—A. We counted all the votes.

Q. Then what did you do?—A. I had the talley sheet.

Q. You kept that, did you?—A. Yes, sir.

Q. It turned out all right?—A. Yes, sir.

Q. Did you sign the returns?—A. I did not want to sign it, I had to.

Q. Did you sign the returns?—A. Yes, sir.

Q. And they were sent to the election commissioners' office?—A. Yes, sir.

Q. What do you mean by "had to"?—We protested and did not want to sign them.

Q. Who did you protest to?—A. All of the judges there.

Q. What judges?—A. Murphy and Burke and Noonan.

Q. Then after such protest you signed them?—A. Not right away.

Q. How soon after?—A. We stood off for a while, and they said they would get the hoodlum wagon and take us down to the city hall.

Q. Take you down where?—A. And arrest us.

Q. Do you not know enough to know that you could not be arrested by election judges or election clerks?—A. I knew that.

Q. Then you knew that was an idle threat, didn't you, or boast?—A. Yes, sir.

Q. You realized that?—A. We refused to sign the returns and they went out and got several officers.

Q. What did the officers do?—A. They stood there.

Q. Then you signed the returns?—A. Yes, sir, later on.

Q. Later on you signed them?—A. Yes, sir.

Q. Were they sent on then to the election commissioners' office?—A. We did it to get done. We all went down.

Q. How did you go?—A. Walked.

Q. Where was the polling place?—A. At 2738 Manchester avenue.

Q. How close is that to the election commissioners' office?—A. I don't know how close.

Q. Did you walk with the books and papers or did you ride?—A. We walked.

Q. Who else walked?—A. The rest of them.

Q. Who?—A. The judges and clerks.

Q. The Republican judges and clerks and the Democratic judges and clerks?—
A. And the officers and sergeant.

Q. You all walked along together?—A. Yes, sir.

Q. And delivered the returns at the election commissioners' office?—A. Yes, sir.

Q. Then you left?—A. Yes, sir.

Q. Did you ever attend the holding of an election prior to this?—A. No, sir.

Q. How old are you?—A. Twenty-eight.

Q. You never were connected with the holding of an election before?—A. I served before.

Q. Where did you serve?—A. In the same place.

Q. Did you ever serve at any other time except that once before?—A. No, sir.

Q. Did you ever see people vote before?—A. Yes, sir.

Q. Don't you know the method of voting is this: People come into the room and those go into the booths that have not voted and after they go others come in in their places?—A. Yes, sir.

Q. It is true, isn't it?—A. Yes, sir.

Q. Then very often there are more than four people in the room waiting for their places?—A. Yes, sir; the place was crowded.

Q. You have seen them on both times that you have served?—A. This last time.

Q. Did you not see them before also?—A. No, sir.

Q. Don't you know that more than four men were in the room at the time before?—A. Yes, sir.

Q. And that those who could not be accommodated would wait until the booths were vacated and then go in and take their places?—A. Yes, sir.

- Q. And you have seen them do that both times you have served?—A. Yes, sir.
- Q. Do you know where the criminal courts sit in this city?—A. Yes, sir.
- Q. Where do they sit?—A. On the second floor—
- Q. On what street and number?—A. On Clark avenue and Twelfth street.
- Q. That is entirely different from the city hall, isn't it?—A. Yes, sir.
- Q. The city hall is where the election commissioners met?—A. Yes, sir.
- Q. And after you had gotten through with your duties that day, yourself and the Democratic clerk and the two Republican judges and the Democratic clerk and judges went to the city hall, did you not?—A. That evening.
- Q. You did not go to the Four Courts at all, did you? You did not then?—A. No, sir.
- Q. You had nothing to do with them, did you?—A. No, sir.
- Q. You were not arrested?—A. No, sir.
- Q. You were not threatened with arrest or being taken to the Four Courts?—A. No, sir.
- Q. Have you heard who is the circuit attorney here?—A. Folk.
- Q. Is that the man you have heard of?—A. Yes, sir.
- Q. Do you know what his duties are?—A. I know he is circuit attorney. I don't know what he does.
- Q. Do you know where his office is?—A. In the third floor of the Four Courts.
- Q. That is not at the city hall, is it?—A. No, sir.
- Q. He is connected as prosecuting officer with the criminal courts?—A. Yes, sir.
- Q. Have you ever been there?—A. Yes, sir.
- Q. Did you ever take him the names of those three men that you thought voted twice?—A. No, sir.
- Q. Or ever make any report to him that these three men had voted twice on that day?—A. No, sir.
- Q. Or make any report on this matter before that?—A. Yes, sir.
- Q. Did you give the names of the three men?—A. Yes, sir.
- Q. Have you got the names of the three men?—A. Yes, sir.
- Q. Will you give them to me?—A. The names they voted under—I don't know them.
- Q. Then you are mistaken in saying that you never gave the grand jury the names of these three men?—A. The men that served there with me—
- Q. Then you never made any report to the grand jury, giving the names of the men who voted twice?—A. Yes, sir.
- Q. Did give them the names of the men?—A. I didn't give them the names; I didn't know the names.
- Q. When did you do that?—A. Last month. I was called up to the grand jury.
- Q. Who called you up?—A. I got the subpoena.
- Q. You didn't go of your own accord?—A. No, sir.
- Q. You went because you were subpoenaed?—A. Yes, sir.
- Q. In response to that subpoena you told what you observed?—A. Yes, sir.
- Q. You didn't know the names of those three men?—A. No, sir.
- Q. So you couldn't give the names?—A. No, sir.
- Q. How long have you been in practical politics?—A. I never interfered much in politics at all. I have only served in the last two elections.
- Q. How did you serve in the election before the last?—A. As clerk.
- Q. Clerk both times?—A. Yes, sir.
- Q. And that is the only connection you had with elections—served as clerk twice?—A. Yes, sir.
- Q. That is all?—A. Yes, sir.
- Q. Do you know the committeeman in your ward?—A. Yes, sir.
- Q. What is his name?—A. Cramer.
- Q. What is your ward?—A. The Fourteenth Ward.
- Q. Are you and the committeeman on the same side in the fight in your party?—A. Yes, sir.
- Q. What side?—A. The Republican side.
- Q. Which of the two Republican sides, the "Kerens" or the "Anti-Kerens"?—A. I didn't pay any attention to that.
- Q. Did you support Lofhagen?—A. I do not know him.
- Q. Did you ever hear of him before?—A. No.
- Q. This is the first time you heard of him?—A. Yes, sir.
- Q. You know Mr. Wagoner?—A. No, sir.
- Q. Ever hear of him before?—A. Heard of him; seen his name on the ballot.
- Q. Do you know whether he was nominated or not?—A. No, sir.
- Q. Were you ever a delegate to the Republican convention?—A. No, sir.

Q. What Congressional district do you live in?—A. The Twelfth.

Q. Do you know Mr. Reynolds?—A. No, sir.

Q. Did you ever hear of him?—A. No, sir.

Q. Were you in the convention when he was nominated?—A. No, sir.

Q. Ever see his name on the ticket?—A. Yes, sir: I have.

Q. How long has Cramer been committeeman in your ward?—A. I don't know.

Q. Is he Congressional committeeman or central committeeman?—A. I couldn't tell you that: I believe he is central man.

Q. Who is your Congressional committeeman?—A. I don't know.

Q. Don't you know who was chairman of your Congressional committee?—A. No, sir.

Q. At the time that you saw these three men vote twice, you made no complaint at that moment?—A. No, sir.

Q. You stored it up in your mind, that was all?—A. Yes, sir.

Q. Don't you know it is a very difficult thing to distinguish men with whom you are unacquainted? Did you know any one of these three men?—A. No, sir.

Q. Did you ever lay eyes on them before?—A. No, sir.

Q. Didn't know whom they claimed to be?—A. No.

Q. Didn't know what names they gave, did you?—A. I don't remember.

Q. You didn't know at the time, did you?—A. No, sir.

Q. You just saw three men and thought those same three men voted twice? Might you not have been mistaken? Might not some men who resembled them have voted the second time?—A. That might be, and they might have changed clothes.

Q. Outside of that, would you swear positively to seeing anybody vote twice. Might they not have been men very nearly resembling each other?—A. It might be.

Q. That is a matter you could not be positive about?—A. No, sir.

Q. You were representing the Republican party that day?—A. Yes, sir.

Q. Trying to discharge your duty?—A. Yes, sir.

Q. Zealously and conscientiously; and having done it, you went to the election commissioner's office, the returns were handed in, and that was the end of it.

Redirect examination by Mr. RICHEY:

Q. You voted for Mr. Wagoner, didn't you?—A. I don't remember: I don't know the names on the ballot now.

Q. You just said you saw Wagoner's name on the ballot.—A. Yes: I voted for him.

Q. You voted the straight Republican ticket?—A. Yes, sir.

Q. You say you had to sign the returns?—A. Yes, sir.

Q. And that the policemen said they would get the wagon if you didn't?—A. The policemen didn't; the judges did.

Q. What judges?—A. Murphy and Burke.

Q. Was that the reason you signed them?—A. No, sir: that wasn't the reason.

Q. What was the reason?—A. Because we seen the crowd coming in there voting two or three times.

Q. Is that the reason you signed the returns?—A. No, sir.

Q. Why did you sign the returns?—A. We had to.

Q. Why, what made you?—A. They would have put us in the wagon.

Q. What wagon?—A. The hoodlum wagon.

Q. Who said that?—A. Murphy and Burke. They came down with two officers: two more officers.

Q. Who went for the officers?—A. I don't know whether Burke or Murphy.

Q. How many officers were there before you signed altogether?—A. Two of them.

Q. How many more came then?—A. One officer and a sergeant.

Q. So there was a sergeant and three policemen?—A. Yes, sir.

Q. Did you sign the returns after they got there or before?—A. I signed them then.

Recross-examination by Judge BOND:

Q. Did you vote for the constitutional amendments?—A. Yes, sir.

Q. All of them?—A. Yes, sir.

Q. Did I understand you to say that any human being laid his hand on you or arrested you in any way, shape, manner, or form that day?—A. No, sir.

Redirect examination by Mr. RICHEY:

Q. Were you afraid of violence that day?—A. Yes, sir.

Q. Is that the reason you made no complaint?—A. Yes, sir.

Q. Because you were afraid?—A. Yes, sir.

GUSTAV F. ZIEGLER, a witness, being produced, sworn, and examined, on the part of the contestant, deposed as follows:

By Mr. RICHEY:

Q. You live at 2719 Walnut street?—A. Yes, sir.

(The contestee objected to the introduction of this witness for the reason that he had no notice of his appearance whatsoever, and further object to the testimony of the witness for the reason that a party coming from that same number by the name of Ziegler, if this is the one that is meant, is embraced in the notice to take testimony before Eugene Buder, who is not the notary here to-day, and contestee has not agreed to any change of notaries.)

Q. What is your business?—A. I am in the piano business.

Q. How long have you lived at that number?—A. Ever since 1876.

Q. What is your age?—A. Forty-five.

Q. You were a judge at precinct 10, Fourteenth Ward, at the last election?—A. Yes, sir.

Q. Do you know Theodore Bonk?—A. Yes, sir.

Q. He was clerk there?—A. Yes, sir.

Q. Do you know John Phillippi?—A. Yes, sir.

Q. Was he judge there?—A. Until election day.

Q. What time did he get there that day?—A. Six minutes after 6 by the clock in the store.

Q. You don't know whether that was right or not?—A. It was not, by my watch.

Q. Was he permitted to serve as judge?—A. No; a man named Walters. I could not find out his name for a long time.

Q. He was brought in there under the pretense that he was a Republican?—A. He came in first thing in the morning.

Q. He was there promptly at 6 o'clock; did you take part in appointing Mr. Walters?—A. No, sir.

Q. The Democratic judge selected him and swore him in?—A. Yes, sir.

Q. And Walters served there the balance of the day?—A. Yes, sir.

Q. During the day do you know of any instance of repeating at that precinct?—A. Everything went along nicely in the morning, until about 2 o'clock in the afternoon, between 2 and 4 I think it was, when a big rush came in, and they bumped right up against me: I was sitting by the table. My Republican clerk was sitting alongside of me and they came in and gave names so fast that my Republican clerk could not get the names in the books that he had, and he had only the registration book, and the Democratic judge says "He is all right and he is all right," as fast as he could possibly say it, just like that.

Q. As fast as these men came in the Democratic judge, who had the official book, said that each man whose name was given was all right?—A. We both had registration books out but only one poll book.

Q. Who kept that?—A. The Democratic clerk.

Q. T. F. Burke?—A. Yes, sir.

Q. How many voted twice in the rush of voters?—A. Four.

Q. How many came in the room in this rush?—A. I could not tell you.

Q. More than four?—A. Yes; just 10 or 15; more than that; I couldn't tell more than that.

Q. Who were the officers there?—A. I don't know.

Q. Were the two police officers there?—A. Outside.

Q. Who had control of allowing the voters to go from the outside in to vote?—A. The policemen.

Q. Was anything said to the policemen about not allowing more than four to go in?—A. That was said in the morning.

Q. By whom?—A. The policemen.

Q. By whom?—A. Burke said it the first thing in the morning and then later on I told them.

Q. When did you tell them?—A. After that rush.

Q. What did you say?—A. I told them "Don't leave more than four men in."

Q. Well, what did he say?—A. He said "All right." After that he didn't leave them go in, not like they did before I said that.

Q. Do you know of anyone voting more than once?—A. I could not swear to that. I know they came in and went out and came in.

Q. Do you know whether the same one came in and went out and came in again?—A. I could not swear. The clerk told me they were "Indians." That is the first time I knew anything about "Indians." The first time I was appointed to do anything like that.

Q. What clerk told you that?—A. That was Mr. Murphy.

(All this testimony objected to and asked to be stricken out by counsel for contestee.)

Q. When in the day was it that he told you that?—A. After the men had been there to vote.

Q. After the close of the polls?—A. Before that, in the afternoon, about 4 or 5 o'clock.

Q. When the polls closed, were the votes counted?—A. Yes, sir.

Q. Were the returns signed?—A. I signed mine under protest.

Q. When did you sign—immediately after the result had been reached?—A. No, sir; not right away.

Q. Why did you protest?—A. Because I didn't think it was done legally in that way.

Q. In what way?—A. Because so many came in at a time I could not tell whether one voted or two; it was done in such a rush. One man even got around on the books and had his hand on the books.

Q. Who, an outsider?—A. I tried to shove him away. He went away.

Q. Did the outsider handle the poll books or voting list?—A. No; they took up some ballots themselves.

Q. Without having them given to them by the judge?—A. Yes, sir; some of them did.

Q. And you thought things had not been straightened there that day, and refused to sign the returns?

(The question was objected to as corroborated.)

Q. Why did you finally sign the returns?—A. Because they said they would take us down in the wagon.

Q. Would arrest you?—A. I don't know; I suppose it meant to be arrested.

Q. Who said that?—A. Murphy and Burke both.

Q. Murphy and Burke were the Democratic judge and clerk, respectively?—A. Yes, sir.

Q. How many policemen were there?—A. Two policemen in the afternoon first, and then one of the sergeants went and got two more.

Q. What did they get them for?—A. They said if you don't sign, we will take you down in the wagon.

Q. Where?—A. Didn't say where; just take us down in the wagon. I thought we would be taken to the Four Courts.

Q. To the lock-up, that's what you thought?—A. Yes.

Q. That was the reason you signed?—A. That was the reason I signed the returns, because I didn't care about having anything more to do that day.

Q. Did you stay there after the results of the election had been reached?—A. No, sir; I told them I was going to go home.

Q. Who?—A. Murphy and Burke.

Q. Did you tell them why?—A. Because I didn't think the thing was right.

Q. What thing?—A. The polling wasn't done right.

Q. What did they say?—A. They didn't say anything until I went out.

Q. Went out from where?—A. To go home. I says I will go and have a drink. I am dry, and went to get something to drink. When I went from there the Republican challenger told me I had better go home. I started for home, and when I was down to the alley the Republican judge and clerk reached for me and brought me back. That was the time they said they would get the wagon.

Q. You were trying to avoid the signing of the election returns in that way, because you thought they were not right?—A. Yes, sir.

Q. What sort of an escort did you have from the polling place to the commissioner's office?—A. I had two officers went down with us. When they wanted to send one I told them that was not enough, and the sergeant went down with me.

Q. What did you want to have them for?—A. Because I was afraid of those two men.

Q. What two men?—A. Burke and Murphy.

Q. So you got a second man to go along because of your fear of what would happen to you on account of your attitude toward signing the returns for that precinct?—A. Yes, sir.

Q. When you got to the commissioner's office did you tell the commissioner anything about what had been up there?—A. No, sir.

Q. Were you ever subpoenaed by the grand jury?—A. Yes, sir.

Q. With reference to this occasion?—A. Somebody subpoenaed me. I don't know who.

Q. With reference to this matter?—A. Yes, sir.

Cross-examination:

Q. What is your name?—A. Gustav Ziegler.

Q. Who subpoenaed you here?—A. This clerk.

Q. Let us see your subpoena.

(Witness here showed his subpoena to the counsel for the contestee.)

Q. Have you the original subpoena?

(Further cross-examination of the witness is conducted under protest. We have had no proper notice of his use as a witness or any information that he would be called as a witness before the notary proceeding with the examination.)

Q. What is your name?—A. Gustav Ziegler.

Q. It is not George C. Ziegler?—A. No, sir.

Q. George C. Ziegler is not you?—A. No; that is not me.

Q. You were one of the Republican judges of election, were you?—A. In the tenth precinct.

Q. In what ward?—A. Fourteenth Ward.

Q. On what day?—A. The 4th of November.

Q. Who was the other Republican judge on that day?—A. A man named Walters. He was supposed to be Republican. I don't know whether he was or not.

Q. He proposed to act as the other Republican judge?—A. Yes, sir.

Q. Who was the Republican clerk?—A. Bonk.

Q. What is his first name?—A. I don't know. He is a barber up there.

Q. He was a Republican clerk, was he?—A. Yes, sir.

Q. If I understand you, shortly after the opening of the polls, the time of which you don't know except by the clock there in the office, Mr. Walters was sworn in as Republican judge?—A. Yes, sir.

Q. Whether the exact time was then 25 minutes after this, you do not know, do you?—A. That I could not swear to. I am going according to the clock in the store.

Q. It might have been, in point of fact, 25 minutes past 6 o'clock?—A. I don't know. I only went by the clock and my watch.

Q. The first thing, I understand you to say, is that Mr. Murphy, the Democratic judge, requested the officers at the polls not to let more than four men in at a time?—A. Not then.

Q. Some time after?—A. After the polls opened.

Q. The first request was made by the Democratic judge?—A. Yes, sir.

Q. And the officer complied with that request for a time?—A. For the time being.

Q. And it was only about 2 o'clock that a larger crowd made their entrance in the afternoon?—A. Yes, sir.

Q. And then you spoke to the officer in charge?—A. After the rush.

Q. You spoke to him?—A. Yes, sir.

Q. So that the second request was made by you, and he complied with that?—A. Yes, sir.

Q. Then the voting went on as before, as far as you could see, in an orderly manner until the close of the polls?—A. They did.

Q. He complied with your request, and then afterwards the voting went on in an orderly manner?—A. Yes, sir.

Q. Mr. Zeigler, you were there attending to your duties under your oath as judge of that election?—A. Yes, sir.

Q. Doing your best to see that it was a regular and proper election?—A. Yes.

Q. Did you see a single human being vote twice?—A. I could not say that. I imagined I seen them vote twice. I could not say. I thought I seen the same face twice; could not say what kind of a face it was.

Q. You just imagined it might be?—A. Yes.

Q. Would you swear that you saw a single man vote twice on that day?—A. I could not say that—I don't. I was with my back against him, and they came in in a rush and could not see close for awhile. I turned around and I thought I saw the same face twice.

Q. You would not swear to it?—A. I could not, because I did not know the man.

Q. And you did not make any complaint that you had seen him vote twice?—A. I told Murphy that I never seen such voting done in my life. I never seen so many allowed to vote as they did.

Q. Was it the number that aroused your suspicion?—A. I should think so.

Q. Are you prepared to swear positively that you saw any one man vote twice that day?—A. I say I told their faces. I did not know them, therefore I would not swear on that.

Q. The number of polls in the box, the number recorded, tallied perfectly at the

end of the voting?—A. There was only one poll book. It could not tally, because we only had one book: the Democratic clerk had the poll book.

Q. That tallied with the number of votes in the box?—A. They did not count the names at all: didn't run down the book on them.

Q. The number of men who voted and the number of ballots which were taken out was exactly the same?—A. I do not know: they didn't count them after.

Q. Do you know how many men voted there that day?—A. To the best of my knowledge up until 2 o'clock about 130 or 125 votes.

Q. Did they tally?—A. I do not know: I had no tally sheet.

Q. Your Republican clerk had the registration sheets?—A. He had the registration book: they came in in such a rush he could not look over the books.

Q. He had it?—A. He dropped it and let it go.

Q. You didn't hear his testimony?—A. Yes, sir: I did.

Q. You heard everything he swore to?—A. Yes, sir.

Q. You do not pretend that he made any such statement?—A. That he dropped the book?

Q. Yes?—A. He told you he had to leave the book.

Q. Is that the reason you swore to it, because you heard him say so?—A. I seen him do it.

Q. There was a certain number of votes cast that day?—A. Yes.

Q. And the men who had charge of the poll book kept account of the men who had voted?—A. Burke had charge of the poll book and kept account of the men: I don't know what he done in that rush, because I could not see.

Q. He put down the figures to show you how many men voted?—A. Yes.

Q. Didn't that set of figures correspond exactly with the number of ballots taken out of the box?—A. That is what I am trying to get at: he didn't count the poll sheet when he counted the ballots: just counted the ballots, 472 ballots cast, and out of that 89 were Republican and a few scattering or different.

Q. How many registered?—A. That's more than I can tell you: 400 or 500; I don't know.

Q. Between 500 and 600?—A. I could not tell you.

Q. As far as you know, of your own knowledge, then, there was the same number of men recorded by Mr. Burke as voted, as was shown by the tally sheet taken off of the books?—A. I don't know.

Q. You didn't look at the poll book.—A. I did not look at the tally book: he had it.

Q. Did you ask him to let you see it?—A. No, sir: I did not.

Q. You saw it after it was done, didn't you?—A. I saw it after, yes.

Q. And were there until the close of the polls?—A. Yes, sir.

Q. Did Mr. Burke refuse to show you any book?—A. I did not ask him: didn't know anything about that.

Q. You never were judge before, were you?—A. No, sir: that was the first time I was judge. I think I would know a little more about it next time.

Q. Mr. Zeigler, you walked up to the city hall, to the election commissioners' office with Mr. Burke and your Republican clerk, and the other Democratic judge and clerk, and carried the returns signed by all of you?—A. I didn't have them; the Democratic judge had the books.

Q. Your name had been signed to them?—A. Yes, sir.

Q. Did you put down after your name anything to show that you were dissatisfied?—A. I just made a protest in the polling place.

Q. After that you signed the returns?—A. I didn't sign, only my clerk says that we better sign.

Q. You did sign? Nobody threatened you, your clerk said you had better sign?—A. They threatened to take us down to the hoodlum wagon.

Q. Where?—A. To the Four Courts: we didn't want to go there.

Q. Don't you know that the law provides in cases of disagreement of the judges that they all have to go to the election commissioners' office?—A. No, sir.

Q. Don't you know that no election commissioner could have you arrested and carry you to the Four Courts because of your refusal to sign the returns?—A. No, sir.

Q. You didn't know it?—A. I know it now.

Q. You have been so informed?—A. After the election I was told that.

Q. No man told you he would take you to the Four Courts?—A. They told us they would take us down to the hoodlum wagon.

Q. They did not specify where?—A. If they had said city hall, I would have said to go on down to the city hall.

Q. Isn't that the place where you went?—A. Afterwards.

Q. They never told you they would take you to any other place?—A. They said if we did not sign they would take us down in the hoodlum wagon.

Q. Don't you know that the law provides in case of disagreement that the judges of election shall take the returns and books to the election commissioners' office?—

A. No, sir.

Q. That was the place you did go?—A. I went down there.

Q. Nobody carried you or threatened to take you; no officer laid his hands on you?—A. No, sir. The judges and clerks laid their hands on me and made me come back.

Q. That was your own clerk?—A. No, sir, the Democratic clerk; and I went down to the alley, they ran after me and made me come back, and I did not want to sign the books.

Q. Didn't you say in your examination in chief that that was your Republican clerk?—A. I beg your pardon.

Q. Did anybody ever threaten you with any physical violence?—A. No; I don't think they did.

Q. Nobody attempted to inflict any physical violence on you?—A. Yes; Murphy says: "Damn you, if you don't sign that book."

Q. He didn't hit you, or anything of that kind, did he?—A. No.

Q. Did the other judge threaten you with any physical violence?—A. Only that the judge and clerk came after me.

Q. What time of the night was that?—A. About 12 o'clock. Maybe a little later or a little before 12.

Q. After the counting of the ballots?—A. Yes, sir.

Redirect examination by Mr. RICHEY:

Q. If, in your direct examination, you were understood to say that the Republican judges and clerk came down after you, you meant the Democratic judge and clerk; that was a mistake?—A. That was a mistake; I didn't mean the Republican judge came after me.

Q. It was the Democratic judge and clerk that caught you at the alley and brought you back?—A. Yes, sir; I couldn't say it was the Republican judge and clerk; it would not be so.

WALTER YOUNG, a witness, being produced, sworn, and examined on the part of the contestant, deposed as follows:

By Mr. RICHEY:

Q. What is your name?—A. Walter Young.

Q. How old are you?—A. Twenty-two years old.

Q. Where do you live?—A. 403 North Levee.

Q. How long have you lived there?—A. Nine years.

Q. Do you know the premises 409 North Levee?—A. Yes, sir.

Q. What place is that?—A. That is called the east branch of the Colored Jefferson Club.

Q. Who presides there as proprietor?—A. William Lee.

Q. President of the club, if you know?—A. I don't know.

Q. What talk, if any, did you have with Lee about voting?—A. He asked me if I wanted to vote and I told him no, I didn't care to. I told him I had not registered. He said that didn't make any difference, that he had a name for me.

Q. A name for you for what?—A. To vote. He told me he would pay me if I would vote.

Q. How much?—A. Between \$3 and \$4.

Q. When was that?—A. He told me that.

Q. On the day of the election?—A. Yes: this last election.

Q. Did you vote?—A. No, sir.

Q. What time of the day was this?—A. About 12 o'clock.

Q. Where was it?—A. At Mr. Lee's saloon.

Q. Were you about Lee's saloon that day?—A. Yes, sir; off and on all day.

Q. Did you see others there?—A. Yes, sir.

Q. What others did you see there?—A. Some of them going up and getting slips and some of them drinking.

Q. At the saloon?—A. Yes.

Q. These names that he gave them, what did they do with them?—A. Will Lee.

Q. What did he do with these slips?—A. Carried them up and voted on them.

Q. Who did?—A. The fellows he gave the slips to.

Q. Did you see him give the slips to the fellows?—A. Yes, sir.

Q. Did you see them after they voted—did you see them vote?—A. No, sir; didn't go up there with them at all.

Q. Which way did they go after they left his place?—A. They came from Locust street down to Olive.

Q. Toward Third and Olive, where the voting place was?—A. Yes, sir.

Q. Did you see them changing clothes?—A. No, sir.

Q. What is on the second floor of that building?—A. His office.

Q. On the third floor?—A. Yes, sir.

Q. Have you been on the third floor?—A. Yes, sir.

Q. Have you been on the second floor?—A. Yes, sir.

Q. This dancing room is on the second floor?—A. The third floor is the dancing room.

Q. Are there any beds up there?—A. On the next floor there are supposed to be some. I have never been up there.

Q. You don't know anything about that?—A. No, sir.

Q. How many men did you see him give slips to?—A. About 12 or 15.

Q. Can you read and write?—A. Yes, sir.

Q. Did you see the names on any of those slips?—A. No, sir; I did not: he didn't allow them to show them to anybody at all.

Cross-examination by Judge BOND:

Q. You did not go to the polling place?—A. No, sir.

Q. It was five or six blocks away?—A. Yes, sir.

Q. What was done in the polling place you know nothing of?—A. No, sir.

Q. You did not see a single man voting there the whole day?—A. No, sir.

Q. You did not see any man vote?—A. No, sir.

Q. You don't know of any man that voted that day?—A. No, sir.

Q. You did not see a single man get a slip?—A. No, sir.

Q. Down there at this man's saloon that day?—A. Yes, sir.

Q. What is your business?—A. Steamboating.

Q. What boat do you work on?—A. No certain one.

Q. Where did you work last?—A. On the *Grey Eagle* last.

Q. What were you duties on that boat?—A. Deck sweeper.

Q. Is the force that does that, are they all colored men?—A. Yes, sir.

Q. Who is the mate on that boat?—A. Joe Baylis.

Q. He is a white man?—A. Yes, sir.

Q. The deck sweepers are all colored?—A. Yes, sir.

Q. Do you know any police officers in town?—A. I know one.

Q. Who?—A. Murphy.

Q. Where is his beat?—A. On the levee.

Q. How long have you known him?—A. About eight months.

Q. Where are you from?—A. From West Point, Miss.

Q. Where does the *Grey Eagle* run?—A. Up to Commerce, Mo.

Q. Up the Missouri River?—A. Down the Mississippi River.

Q. Where is Commerce?—A. Down below Cape Girardeau.

Q. How long have you been in the boat business?—A. I just went as deck sweeper two trips.

Q. Do you know John Flanagan?—A. Yes, sir.

Q. What is his business?—A. Mate.

Q. Of what boat?—A. The *Stacker Lee*.

Q. How long have you known him?—A. About three months.

Q. Did you ever work under him?—A. Yes, sir.

Q. When?—A. About a month ago.

Q. Do you know Lee Huff?—A. Yes, sir.

Q. Have you ever been to his place?—A. He is a mate—he used to be a mate: he is not mate at all now. He had a contract about a month ago of letting boats.

Q. Did you ever work under him?—A. Yes, sir.

Q. You know Lee Huff and John Flanagan?—A. Yes, sir.

Q. Do you know Hamburger Bill?—A. Yes, sir.

Q. Ever work under him?—A. Yes, sir.

Q. Where?—A. On the levee.

Q. You can read and write?—A. Yes, sir.

Q. Where did you learn?—A. At school.

Q. Where was the school?—A. West Point, Miss.

Q. At a colored school there?—A. Yes, sir.

Q. Do you know a deck hand by the name of Sugar Water?—A. No, sir.

Q. Ever hear of him?—A. No, sir.

Q. Which is your name on that list?

(Counsel for contestee here handed to the witness a list of names.)

A. Here. [Witness indicates.]

Q. Is that your correct address?—A. Yes, sir.

Q. Were you ever arrested?—A. No, sir.

Q. Not in this city?—A. No, sir.

Q. You were not arrested in Mississippi?—A. In Mississippi, once.

Q. What were you charged with?—A. Fighting.

Q. At West Point?—A. Yes, sir.

Q. Fighting with a colored man?—A. Yes, sir.

The further taking of testimony was adjourned until 2 o'clock of the same day.

H. G. SCHIRR, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. RICHEY:

Q. Your name is H. G. Schirr?—A. Yes, sir.

Q. You live at 3863 Manchester avenue?—A. Yes, sir.

Q. In the thirteenth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. And in the Twelfth Congressional district of Missouri?—A. Yes, sir.

Q. You were one of the Republican judges at that precinct on the 4th of November last?—A. Yes, sir.

Q. Was there any trouble at the thirteenth precinct at the last election?—A. No trouble whatever, only the voting was not going on right: that is all I know.

Q. What time of day did it begin to be wrong?—A. About a quarter to 5.

Q. What happened then?—A. Then they all came in with a rush and everybody voted to suit themselves.

Q. How many voting stalls were prepared at that precinct for the use of voters at one time?—A. Four.

Q. How many voters crowded in there at one time at nearly 5 o'clock on election day?—A. About fifteen or twenty.

Q. Were there any policemen at that polling place?—A. Yes, sir.

Q. Who were they?—A. I don't know the names exactly.

Q. Was there more than one?—A. Only one inside.

Q. Had he directions as to the number of voters to allow in at one time?—A. I don't know: I couldn't say. We told him not to allow any more than five in at a time.

Q. When did you tell him that?—A. In the morning—that is, I did. I said not to allow the crowd in.

Q. You said you were one of the judges there, didn't you?—A. Yes, sir.

Q. Who received the ballots—which judge?—A. A young fellow by the name of O'Connor.

Q. M. O'Connor; he was the Democratic judge?—A. Yes, sir.

Q. Who was the Democratic clerk?—A. Lemburger.

Q. Antoine Lemburger?—A. Yes, sir; he was the clerk.

Q. Who was the other Democratic judge? James Coughlan?—A. Coughlan was the clerk and Lemburger was the judge.

Q. Now, when this crowd came in what happened?—A. Why, they voted names which they ought not to have voted: voted from different places which them people never got a chance to vote.

Q. What do you mean? Explain to us.—A. Paul Kreis, he lives at 3800 Clark avenue, and he never voted at all; still his name was voted. He is a white man, and his name was voted by a colored man. I know him personally.

Q. Do you know who it was that voted on his name?—A. No, sir; they all looked alike to me.

Q. Did you make any objection to the person voting on that name?—A. It wouldn't be no use.

Q. Why wouldn't it be any use?—A. Well, it was a put-up game; if I would have to say anything they would have hammered hell out of me; that is all.

Q. Who would?—A. That is more than I can tell.

Q. To whom do you refer?—A. Well, the gang that was there. A man voted from my place and the man was not in town at all and he was a white man, and a colored man voted his name.

Q. What was the name of the man that was entitled to vote?—A. Charles Green.

Q. And he was a white man?—A. Yes, sir.

Q. And his name was voted upon by a colored man, you say?—A. Yes, sir.

Q. Did you make any protest to that?—A. No, sir; the same as I said before, it would be no use.

Q. You say Charles Green was registered from your place?—A. Yes, sir.

Q. What sort of a place have you?—A. Grocery, saloon, hardware, and feed store.

Q. And this man Green lived at your place?—A. He stayed there at times.

Q. And was entitled to vote there?—A. Yes, sir.

Q. And yet his name was voted?—A. He had left before the election and still his name was voted.

Q. Do you know the name of the colored man that voted on his name?—A. No, sir; I do not.

Q. Did the colored man pretend to be Charles Green?—A. He mentioned the name; they asked him where he lived and he said at our house, 3863 Manchester avenue.

Q. And you say he did not live there?—A. Yes, sir.

Q. And you know that to your own personal knowledge?—A. Yes, sir.

Q. You say there was no use to make a protest against his voting?—A. No, sir.

Q. What reason had you to think that your protest would do no good and that they would hammer hell out of you?—A. Simply this, they came in and asked who I was, and they said I was the Republican judge.

Q. Who asked that?—A. Five or six fellows that came in there, and on the outside I heard this: "Throw him out," and then one fellow jumped up and said, "He is all right, he won't say nothing;" then I kept my mouth shut; that was enough.

Q. You mean by that that you were afraid from what you heard and what you know of the people there that if you protested you would be assaulted?—A. Certainly.

Q. How was the voting done: who kept track of the people that came in and voted?—A. How do you mean, the counting?

Q. Yes.—A. The Republican clerk put the names down.

Q. Who was the Republican clerk?—A. Some long German name; I don't know. Frank—

Q. Huntebrinker?—A. Yes, sir.

Q. Was he a Republican?—A. I don't believe he was.

Q. Do you know by whom he was appointed?—A. By the Democratic judges that were there that morning, because the Republican clerk was missing.

Q. And the Democrats then chose the Republican clerk and swore him in?—A. Yes, sir.

Q. And this Republican appointed by the Democrats took down the names of the voters?—A. Yes, sir.

Q. Did anyone else take down the names of the voters?—A. No, sir.

Q. Were there any other books or papers furnished for that purpose?—A. Yes, sir.

Q. By anybody else?—A. Yes, sir.

Q. Who had charge of that other book or paper?—A. He had both of them laying there. They was not matched at all. Only one was run.

Q. What did you call that paper?—A. That was the poll book.

Q. And only one of them was used?—A. Only one of them was used, the rest of them were filled out afterwards though.

Q. Simply copied off?—A. Yes, sir.

Q. From the one that was made?—A. Yes, sir.

Q. And it was not kept as the voters came in?—A. No, sir.

Q. Do you know the total number of votes cast at that precinct?—A. About four hundred and something, 448 or 438, something like that. There ain't that many people living there in that precinct—that is, voting there.

Q. Not that many voters living in the precinct?—A. No, sir; that is, entitled to vote.

Q. You mean there is not that many voters registered in that precinct?—A. There is that many and more, too.

Q. Then there was false registration in that precinct?—A. Yes, sir.

Q. Do you know of any instances of that kind?—A. Yes, sir.

Q. State them.—A. 3666 Clark avenue and 3990 Manchester, I believe, or 3996; it is the even number, I think; it is on the south side of the street.

Q. What number do you say on Clark avenue?—A. 3666; somewheres around there.

Q. Do you know how many voters were registered from there?—A. No, sir.

Q. Do you know how many were entitled to vote from there?—A. One, Mr.—I don't know his name.

Q. Foley?

Mr. WALSH. Let the witness testify.

Mr. RICHEY. I am letting the witness testify.

Mr. WALSH. You gave the name.

Mr. RICHEY. Make your objection.

Mr. WALSH. I make this objection to Mr. Richey's making a statement to the witness and securing from him an affirmative answer. Let the witness testify to the facts.

Q. What was your answer: Foley?—A. Foley.

Q. What was the number on Manchester that you mentioned now?—A. It is 3690 something. I believe I made a mistake. It was a small brick house on the corner of Spring avenue and Manchester; right on the corner.

Q. 3696; was that the number?

(Counsel for the contestee objects to the question.)

A. The corner of Spring avenue and Manchester.

Q. I understood you to give a number.—A. It is 3690 something; I can not swear to the number; I don't know the house number.

Q. Do you know of anyone registered from there entitled to vote?—A. No, sir; I don't know. My opinion is of the registration that a man would pick up any man on the street and bring him in and have him register from that place, and our precinct was not canvassed at all.

Q. Do you know how many were registered from that place of which you speak?—A. No, sir; I do not; I never kept any memorandum of that.

Q. Do you know on what day the registration canvass should have been made in that precinct?—A. Well, we had registration day on Tuesday—I believe it was Tuesday—and two days after that they ought to have canvassed it.

Q. How do you know there was no canvass made of the registration in that district?—A. The clerk told me himself there was not.

Q. What clerk?—A. The Republican clerk.

Q. Who was the Republican clerk?—A. Frank—that long name; I can't think of it now. He lives at 3701 Manchester.

Q. Would you know the name if you heard it?—A. Yes, sir.

Q. Huntebrinker?—A. Yes, sir; Huntebrinker.

Q. He told you that no canvass was made in that precinct?—A. Yes, sir; and I know about that myself. I went to three or four places and nobody had been there.

Q. Do you know the place where the books should have been for registration in that precinct?—A. Yes, sir.

Q. Where should they have been?—A. At 3705 Manchester.

Q. Were you there at that place on the day when the registration should have been done there?—A. We were all there.

Q. Was the place open?—A. Yes, sir.

Q. Now, when you say the registration was not revised, you mean that the clerks whose duty it was to go from house to house and see that the people lived there did not make that trip?—A. Did not make it; no, sir.

Q. So that the registration from that ward, if it had persons improperly registered upon it prior to that time, remained unchanged?—A. Yes, sir.

Q. Is that what you mean?—A. Yes, sir.

Q. On election day were the names all put down after the voters came in and offered to vote during the entire evening?—A. Yes, sir.

Q. When the returns were made, or prior to that when the box was opened and the ballots were assorted, were you present?—A. Yes, sir.

Q. Did you assist in sorting the ballots?—A. Yes, sir.

Q. Did you certify to the returns?—A. Yes, sir.

Q. Did you make a protest or not?—A. No; I did not make any protest. I could not; it was no use.

Q. Why not?—A. They would fix it up themselves or either give me a good beating.

Q. Why didn't you refuse, if you felt there were more votes cast than voters entitled to vote in the precinct, to sign the returns?—A. Just as I mentioned before, I would get a good beating, I suppose. They had me scared up; that was all there was to it.

Q. You were afraid if you did not sign or made a protest that you would be beaten, was that it?—A. Yes, sir.

Q. Now, who was in the room at the time the ballots were being assorted and counted?—A. The 4 judges and 2 clerks.

Q. Anybody else?—A. Yes, sir.

Q. Who else?—A. Some man: I forget his name now.

Q. Did he live out there?—A. Yes, sir.

Q. Was he a Democrat or Republican?—A. Democrat.

Q. What part did he take in the proceedings there?—A. Well, he was around there always.

Q. Was he there during the day?—A. Yes, sir.

Q. Along with the judges?—A. No, sir.

Q. When did he come in back where the judges and clerks were?—A. After the polls were closed.

Q. What did he have to do with the assorting of the ballots and counting them?—A. He was not assorting them.

Q. Did he help count them?—A. No, sir.

Q. What did he do?—A. He was up there marking them down.

Q. Did he make any suggestions?—A. No, sir.

Q. Did you have challengers at that precinct?—A. We had one, but he left: he got scared.

Q. Who was he?—A. Charles Diebold.

Q. Was he a Democrat or a Republican?—A. Republican.

Q. You say he was frightened away?—A. Yes, sir.

Q. When?

Mr. BUTLER. He didn't say he was frightened away; he said he was scared.

Mr. RICHEY. Address your objection to the notary.

Mr. BUTLER. I am addressing it to you. [To the stenographer:] Just note my remarks as I make them: that is all that is necessary.

By Mr. RICHEY:

Q. About what time was he frightened away?

(The contestee and his counsel object to the question as leading and as not founded on any statement of the witness.)

A. Well, it was in the afternoon some time; I don't know what time.

Q. Do you know what frightened him?—A. He was scared of the gang, I guess.

Q. Do you know what particular thing?—A. No: he never mentioned nothing to me; I never asked him no questions, either.

Mr. BUTLER. Just note those answers accurately, Mr. Notary, please.

Mr. RICHEY. Note all of them accurately.

Q. What time did the polls close?—A. The regular time, 7 o'clock.

Q. What time was the count concluded?—A. About 11 o'clock.

Q. When were the returns signed?—A. The same time, as soon as the clerk was finished up.

Q. They were signed at the polling place?—A. Yes, sir.

Q. Did anyone else make a protest?—A. No, sir.

Q. As to the results of the election at that precinct?—A. No, sir.

Q. You say this crowd began to rush in about a quarter to 5 o'clock?—A. Yes, sir; a quarter to 5.

Q. How long did the rush continue?—A. Until five minutes till 7.

Q. Now, did you see any persons there voting more than once?—A. Yes, sir.

Q. Between those hours?—A. Yes, sir.

Q. Did you make any protest to that?—A. No, sir; I didn't want to have my block knocked off.

Q. What do you mean by that?—A. Well, a good beating, or maybe done for entirely, I suppose.

Q. How many voters did you see there or people there did you see that voted more than once?—A. That was continually going on—coming in and going out—they even fought ahead of each other; they wanted to get ahead of each other to vote twice.

Q. Did any of them vote more than once without leaving the room?—A. Yes, sir.

Q. How many did that?—A. Well, I took particular notice of two.

Q. Did any other of the judges besides yourself notice that fact?—A. I suppose they did.

Q. Did you call their attention to that fact?—A. No, sir.

Q. Why not?—A. It would be no use.

Q. What do you mean by "it would be no use;" how do you know that?—A. It would not be of no good: they wouldn't listen to me.

Q. Who?—A. All of the judges.

Q. To what?—A. If I would make a contest against it. There was two fellows stood right back of the Republican clerk and they just looked over and seen the names and then voted on them.

- Q. Looked over on what?—A. On the book.
 Q. And see the names where?—A. And see the names in the registration book.
 Q. And then what?—A. And then go and vote them.
 Q. How do you know that?—A. I seen it with my own eyes.
 Q. That Republican clerk was not the one appointed by the Democrats?—A. No, sir.
 Q. The other one?—A. That was the judge that had that book.
 Q. What judge?—A. The Republican judge.
 Q. What was his name?—A. Rothschild.
 Q. Now, when this crowd came in and the men constituting it began voting, did they go into the booths to prepare their ballots each time?—A. Some did and some did not; some just tore off the second ticket and throwed it in the box.
 Q. What was the second ticket?—A. I mean the first ticket.
 Q. What was the first ticket?—A. That was the Democratic ticket. Some of them stood right up against the railing and never moved; took the ticket off the top and handed it in.
 Q. To whom?—A. To the young fellow that had the box.
 Q. The judge?—A. Yes, sir.
 Q. Were the tickets there numbered?—A. Yes, sir.
 Q. Were they initialed?—A. Yes, sir.
 Q. Did you see any one with slips at that precinct?—A. No, sir.

Cross-examination by Mr. BOND:

- Q. Where do you live?—A. 3863 Manchester.
 Q. What precinct is that?—A. Thirteenth precinct of the Twenty-third Ward.
 Q. The Twelfth Congressional district?—A. Yes, sir.
 Q. Were you a Republican judge?—A. Yes, sir.
 Q. At the last election?—A. Yes, sir.
 Q. Did you number the ballots?—A. No, sir.
 Q. Put your initials on?—A. Yes, sir.
 Q. Took the oath of office?—A. Yes, sir.
 Q. Did you discharge your duties according to your oath during that day?—A. The best I could.
 Q. You were sworn, were you?—A. Yes, sir.
 Q. Did you sign those returns?—A. Yes, sir.
 Q. Did you accompany them or go with them when they were handed to the board of election commissioners?—A. Yes, sir.
 Q. Did you make any protest to the board of election commissioners?—A. No, sir.
 Q. Make any protest to anybody?—A. No, sir.
 Q. At any time?—A. Well, I told parties, yes, sir.
 Q. What parties?—A. Parties around the house.
 Q. Around your house?—A. Yes, sir.
 Q. I am not talking about that; I mean during election day?—A. No, sir.
 Q. You made no protest to anybody at any time about anything that happened?—A. No, sir.
 Q. And you did sign those returns?—A. Yes, sir.
 Q. You say you thought you saw two men who voted twice?—A. I never thought it: I said I seen them.
 Q. Who were they?—A. I don't know.
 Q. What names did they vote under?—A. I don't remember.
 Q. Why didn't you make a memorandum of it?—A. I done it to the best of my ability.
 Q. Did you write it down?—A. No, sir.
 Q. Did you write either name down?—A. No, sir.
 Q. You simply trusted to your fleeting memory on the subject?—A. Yes, sir.
 Q. Did anybody do you any violence that day?—A. No, sir.
 Q. Anybody threaten you with violence?—A. Not that day; on the outside I heard of it.
 Q. In that room did anybody?—A. In the morning when I went in the office one judge objected to me being there, and I was there on registration day and the rest said I was all right.
 Q. Was that election day that this took place?—A. Yes, sir; in the morning.
 Q. That was in the polling place, was it?—A. Yes, sir. I was there on registration day, and when I got there on election day they did not want me in there.
 Q. But you stayed, didn't you?—A. Yes, sir.
 Q. And you were accepted and worked there and did your duty all day long?—A. Yes, sir; to the best of my ability.

Q. You said something about the number of people living in this precinct. How do you know how many lived there?—A. I have been around there a good deal; I have noticed myself.

Q. What is your business?—A. Grocery clerk.

Q. Whose store?—A. My father's store.

Q. You make it your duty to take a census of that precinct?—A. I didn't take it; I seen who lived there, and I know mostly all the people.

Q. It is your idea, from looking around, that less people lived there than were registered?—A. Yes, sir.

Q. Is that all the basis you have for that conclusion?—A. Yes, sir.

Q. How long before election day was the last registration day?—A. I don't remember.

Q. Was it some time before election day?—A. You say the last registration day?

Q. That was some days before the election?—A. Yes, sir.

Q. Did you go to the registration place?—A. Yes, sir.

Q. Who did you see—mention them by name?—A. Rothschild.

Q. He was a Republican?—A. Yes, sir.

Q. Who else?—A. Coughlan. I don't know his other name.

Q. Who is he, Republican?—A. No, sir.

Q. Was Coughlan a Democrat?—A. Yes, sir.

Q. What did you say to them?—A. I said, "I came to serve as judge of this registration." They made me show my papers, and accepted me.

Q. What did you do?—A. I sat down and watched to see if the registration was going on right.

Q. Did it go on right?—A. I don't know what you call right.

Q. What did you see?—A. I done it to the best of my ability.

Q. You did your duty in connection with the registration to the best of your ability?—A. Yes, sir.

Q. Then you left?—A. Yes, sir.

Q. You made no protest of anything that anybody did there that day, did you?—A. No, sir.

Q. You signed the registration returns, didn't you?—A. No, sir.

Q. Who signed them?—A. I don't know; I didn't sign them that night.

Q. When did you sign them?—A. I didn't sign them no time. There was no revision made, because there was nobody there on revision day.

Q. Who were your revisers?—A. The judges.

Q. Did they bring in any instance where they wanted a revision to take place?—

A. Yes, sir; we are supposed to be there on Saturday.

Q. I know you should have been there. Did they bring in anything that they had revised?—A. No, sir.

Q. Did you take in any?—A. No, sir.

Q. Who is Charles Green?—A. He is a coal heaver.

Q. Where does he live?—A. He did live at our place; he don't live there now; he has gone South; he left before the election.

Q. How long had he been there?—A. He had been there quite a while—over a year.

Q. He is a man of no settled habitation, is he?—A. No, sir. Well, he was in the city of St. Louis going on twelve years and over.

Q. You say that some colored man voted his name?—A. Yes, sir.

Q. Voted the name of Charles Green?—A. Charles Green; yes, sir.

Q. How do you know that colored man's name was not Charles Green?—A. I know it because it was registered from 3863, and I know that Charles Green was no black man.

Q. How do you know the black man's name was not Charles Green?—A. Well, it couldn't be that Green.

Q. He might have been named Charles Green?—A. Certainly.

Q. How do you know he was not voted from some other place as Charles Green?—A. He never voted no other place, he voted from 3863 Manchester.

Q. Do you simply remember that?—A. I know it.

Q. Did you put it down at the time?—A. No, sir.

Q. Make any written memorandum of it?—A. No, sir.

Q. You were not obliged to challenge the vote of a colored man, were you?—A. I certainly was.

Q. Obligated to challenge the vote of a colored man?—A. Yes, sir.

Q. You sat there and let him vote a name that did not belong to him and yet did not open your mouth; is that right?—A. Yes, sir; I never said a word.

Q. Do you know how this man voted?—A. No, sir.

- Q. You don't know whether he voted the Republican or Democratic ticket?—
 A. No, sir; I couldn't tell you that at all; I was busy signing the ballots.
- Q. Do you know who this darky was?—A. No, sir.
- Q. Ever see him before?—A. No, sir.
- Q. Ever see him since?—A. No, sir: they all look alike to me.
- Q. You mean that all darkies look alike to you?—A. Yes, sir.
- Q. You can't tell one from another?—A. Not in a rush like that.
- Q. Didn't you refrain from challenging him because you thought he was voting the Republican ticket?—A. No, sir.
- Q. But you did not challenge him?—A. No, sir.
- Q. Did not open your mouth?—A. No, sir.
- Q. What ticket did you think he was voting?—A. I never thought nothing about it.
- Q. You have not got a very retentive memory, have you?—A. No, sir.
- Q. Now, if I understand you, no man in that polling place made any threat of violence to you, no man inside of the room?—A. No, sir.
- Q. Am I correct about that?—A. Yes, sir.
- Q. I am entirely correct about that, about what was done in the room?—A. In the room they made no threats, it was only what I heard from the outside; they asked who I was—
- Q. But on the inside—
 (Counsel for the contestant object to the witness being cut off.)
- Mr. BOND. I am not cutting him off. I know how to conduct an examination; you can make your objections if you think it is improper.
- Q. Did you say you overheard some expressions from the outside?—A. It was after the question was sprung on the inside. I could almost hear it, and some fellow said "Let us throw him out."
- Q. Did he call your name?—A. No; I guess they didn't know my name.
- Q. Did you overhear it, or almost overhear it?—A. I overheard it.
- Q. Then it was not almost overhearing it?—A. No, sir.
- Q. Did you know who the man was?—A. No, sir.
- Q. Did you try to find out?—A. No, sir.
- Q. Is that all that you heard during the day?—A. Yes, sir.
- Q. That was the whole of it?—A. That was late in the evening.
- Q. Now you were talking about people voting in larger numbers in the afternoon than in the morning: don't you know the habits of the workingmen of this city?—A. Yes, sir.
- Q. Don't you know they get off and get an opportunity to vote toward the latter part of the afternoon?—A. Yes, sir.
- Q. And you know if they don't vote then they will probably lose their vote?—
 A. Yes, sir.
- Q. Don't you know that they gather, if they intend to vote, in crowds then and attempt to vote? Isn't that your usual experience?—A. Yes, sir.
- Q. That always happens in every election, doesn't it?—A. Yes, sir.
- Q. That a great crowd of workingmen come up late in the afternoon?—A. Yes, sir.
- Q. You have noticed that repeatedly?—A. Yes, sir.
- Q. Or early in the morning: during the middle of the day they are at work, are they not?—A. Yes, sir.
- Q. Who was your committeeman, your Congressional committeeman?—A. The man that I was always speaking to was Pat Clark.
- Q. Always speaking to him. What do you mean by that?—A. He is the one that got me the job, I suppose.
- Q. Which job?—A. Judge. Nominated me as judge. I don't know what they call it.
- Q. You think Pat Clark got you the job of judge of election?—A. I don't know that: I think that.
- Q. You gave him credit for that?—A. Not exactly credit.
- Q. You thought you owed it to him, didn't you?—A. Yes, sir.
- Q. Who is Pat Clark?—A. He is precinct committeeman.
- Q. He was your central committeeman?—A. I don't know.
- Q. Who was your Congressional committeeman?—A. I don't know.
- Q. Don't you know that Pat Clark is city central committeeman of the Republican party?—A. No, sir.
- Q. You did not?—A. No, sir.
- Q. Did you ever complain to Pat Clark about any troubles that you had?—A. Not that I know of.

- Q. Which side of the Republican faction did Clark belong to, Kerens or anti-Kerens?—A. I don't know what you mean by that.
- Q. You didn't know there was any division in the Republican party?—A. No, sir.
- Q. You are not a very close reader of the papers, are you?—A. No, sir.
- Q. Do you read the Star?—A. The bowling news, that is about all.
- Q. What news did you read in the Chronicle?—A. I didn't read no Chronicle.
- Q. What news did you read in the Globe?—A. Not very much of it. The bowling news in that, too.
- Q. What news did you try to extract from the Republic?—A. I don't read that.
- Q. You did not trouble yourself about politics one way or the other, did you?—A. No, sir.
- Q. What Republican club do you belong to?—A. I don't belong to no club.
- Q. Did you attend the meeting of the judges and clerks of election prior to the election?—A. Yes, sir.
- Q. Where did that body meet?—A. At Morgan and Vandeventer.
- Q. What Republican club is located at that point?—A. I couldn't say.
- Q. Don't you know it is the one termed the good Republican club that has its headquarters there?—A. I don't know.
- Q. Did you never hear that before?—A. No, sir.
- Q. Just went blindly in there?—A. Yes, sir.
- Q. Who gave you instructions as to the duties of a judge?—A. Well, that I heard in the hall there.
- Q. In which hall?—A. And I read them out of what they call the by-laws.
- Q. By-laws of the club?—A. Yes, sir.
- Q. By-laws on what?—A. The election laws.
- Q. What instructions did the club give you?—A. I don't recollect any; I don't remember them.
- Q. Who spoke to you on the subject?—A. I don't know the people's names.
- Q. How many different persons?—A. Two.
- Q. Who were these two?—A. I don't know who they were.
- Q. You don't know either of them?—A. No, sir.
- Q. What did they do, just come up and pick you out?—A. Yes, sir; just advised the same as the book read.
- Q. Gave you the advice that was in the book?—A. Yes, sir.
- Q. Did they read the book to you?—A. Yes, sir.
- Q. Couldn't you read it yourself?—A. I read it afterwards.
- Q. Couldn't you read it before?—A. I didn't have any before.
- Q. Did they explain it to you?—A. Yes, sir.
- Q. Tell what all that meant?—A. Yes, sir.
- Q. And how you were to conduct yourself?—A. Yes, sir.
- Q. During the election?—A. Yes, sir.
- Q. And what you were to do after the election?—A. No; they never told me what I was to do after the election.
- Q. I mean after the closing of the polls.—A. Yes, sir.
- Q. And told you about taking the oath?—A. Yes, sir.
- Q. And you took the oath?—A. Yes, sir.
- Q. You discharged your duties?—A. Yes, sir.
- Q. You signed the returns?—A. Yes, sir.
- Q. And had them sent to the election commissioners?—A. Yes, sir.
- Q. And that is all you know about this matter, isn't it?—A. Yes, sir.
- Q. What did these men who explained their duties to you, what did they say, tell the words?—A. I have forgot them; I don't know them.
- Q. You don't remember anything that they said to you?—A. No, sir.
- Q. Did you try to do as they told you to do?—A. Yes, sir.
- Q. And you did it as they told you to do?—A. Not entirely.
- Q. You did it to the best of your ability?—A. Yes, sir.
- Q. Just as they told you to do?—A. Yes, sir.
- Q. Did they tell you that you must feel frightened and not sign the returns?—A. No, sir.
- Q. Did they tell you it did not make any difference whether anybody threatened you or not, that you must experience some sense of fright and refuse to sign the returns?—A. No, sir.
- Q. Didn't tell you anything similar to that?—A. Not that I know of.
- Q. If they did you have forgotten it?—A. Yes, sir.
- Q. What they told you made very little impression on you?—A. Oh, yes; very little.

Q. You do not hesitate to discharge any duty that devolves upon you in a matter of citizenship, or a matter of right and wrong, unless somebody opposes you, do you?—A. No, sir; I do generally the best I can. If anybody imposes upon me—

Q. You are not easily imposed upon?—A. Only once in a while.

Q. Do you refuse to discharge your duty because you think it might be attended with some opposition?—A. Oh, no, no, in one sense.

Q. Now, in business transactions, you don't refuse to demand your rights, do you, just because you think somebody might oppose you; you don't undersell goods because you think a man might refuse to pay you a proper price; you keep your goods, don't you?—A. Yes, sir.

Q. You are not frightened at every shadow, are you?—A. Not just every shadow, no.

Q. There was a policeman in this polling place, was there not?—A. Yes, sir.

Q. Stayed there all day, didn't he?—A. Yes, sir.

Q. There was not one particle of fighting or striking in that polling place during the whole day, was there?—A. No, sir.

Q. Not a lick struck?—A. No, sir.

Q. That policeman remained there all day?—A. Yes, sir.

Q. The proceedings were absolutely peaceful, were they not?—A. Yes, sir.

Q. From morning until the returns were signed?—A. Only there was a little noise and roughness from a quarter of 5 on.

Q. That was when people voted in numbers—that was the time that the laboring people voted, was it not?—A. Yes, sir.

Q. They are generally anxious to vote and get home?—A. Yes, sir.

Q. You have seen a great deal of that in this city, have you not?—A. Yes, sir.

Q. It is a perfectly common thing, is it not?—A. Yes, sir. These people, though—

Mr. BOND. That is all.

Redirect examination by Mr. RICHEY:

Q. This Charles Green, the white man, lived at the same house where you lived?—A. Yes, sir.

Q. And he lived there nearly a year, you say?—A. Yes, sir.

Q. And this colored man came there and voted under his name from that same number where you yourself lived?—A. Yes, sir.

Q. You therefore could not fail to remember the fact of that wrongful vote, could you?—A. No, sir.

Q. You did not have to write that down?—A. No, I didn't have to write that down.

Q. Now the laws, you said the by-laws, you read the by-laws about the way the election would be conducted; were those the election laws that came along with the ballot box?—A. Yes, sir.

Q. And poll book?—A. Yes, sir.

Q. That was sent there for the purpose of instructing the judges and clerks how the election should be conducted?—A. Yes, sir.

Q. Now, you said in answer to Mr. Bond's question that you were well acquainted in that precinct?—A. Yes, sir.

Q. How long have you lived in that precinct?—A. All my life.

Q. How long have you been working at the grocery store there at 3863 Manchester avenue?—A. I have been away a couple of times—three or four times.

Q. How long have you been working there off and on?—A. Off and on altogether about nine years.

Q. Now, how long this last time have you been working there?—A. About a year.

Q. Now, how far away are the stables at 3865 Forest Park boulevard from where your grocery store is?—A. Two blocks.

Q. Do you know those stables?—A. Yes, sir.

Q. By whom were they conducted; under what name were they operated or run?—A. The Excelsior Hauling and Transfer Company.

Q. What other name have they?—A. They generally call them Butler's stables.

Q. What sort of a building are these stables?—A. A regular stable—horse stable.

Q. How many stories?

(Mr. Butler, the contestee, objects to this examination as not being an examination growing out of anything that has been drawn out in the cross-examination, and as being original or direct examination.)

Mr. HOLTCAMP. We will simply say that Judge Bond's question went to the matter of this witness going around in that neighborhood and canvassing and examining into this registration.

Mr. WALSH. That question grew out of a statement made in the original examination that this witness knew of the number of voters living in this precinct and was a natural question growing out of the original examination.

Mr. HOLTCAMP. And it is not unnatural for us to pursue it.

(Counsel for the contestee states that he makes this objection to all this redirect examination of this witness.)

Q. How many stories are there to that building?—A. Two.

Q. Have you been in the second story?—A. Yes, sir.

Q. What was there?—A. Hay and oats.

Q. When were you there with reference to election and registration days?—A. I was there one evening. I don't recollect which.

Q. How long before the election—about?—A. About three or four months.

Q. Were there any beds on that second floor?—A. No, sir.

Q. Nothing but the feed?—A. That is all—oats and hay.

Q. Now, the first floor; for what was that used?—A. For stock.

Q. What kind of stock?—A. Mules and horses.

Q. Any bedrooms in the building anywhere?—A. No, sir.

Q. Did anybody live at that number—3865?—A. No, sir; not that I knew of.

Q. Now, did you look into the registration from that number?—A. Yes, sir.

Q. Do you know how many votes were on the registration list from that number?—A. No; I did not count them just exactly, but I know there is over a hundred.

Q. Would you remember the number if you were told?—A. No; I don't think I would.

Q. Did you know at the day of the election of men voting on these 100 or more names registered from these stables, 3865 Forest Park boulevard?—A. Yes, sir.

Q. Did men vote on those names on that day?—A. Yes, sir.

Q. What time in the day was it?—A. From a quarter to 5—beginning at a quarter to 5.

Q. Then the men who voted on those names from that stable voted there during this rush that you have spoken of in your direct examination?—A. Yes, sir; there was a few of them in the morning.

Q. About how many, as near as you can tell, voted from there during the day?—A. About six or seven.

Q. Six or seven from the whole number located at that stable?—A. Yes, sir.

Q. Up to what time?—A. A quarter to 5.

Q. After that time about how many voted from there?—A. I don't know; I guess about all of them.

Recross-examination by Mr. BUTLER:

Q. How many men are employed at that stable, do you know?—A. No, sir; I don't know.

Q. Have you any idea?—A. No, sir; I have no idea at all.

Q. Don't you know that was the Excelsior Hauling Company that removes the garbage of the city of St. Louis?—A. Yes, sir.

Q. Don't you know that they usually have employed between 300 and 4,500 men?—A. That is not there; I don't think.

Q. I am asking you, don't you know that they have that many employed?—A. Yes, sir; I don't know that at all.

Q. How large is this building in question?—A. It is as deep as the alley.

Q. How deep is that—from Forest Park boulevard to the alley—how deep is that?—A. About one hundred and some odd feet.

Q. How many odd?—A. About fifty or sixty; something like that.

Q. Don't you know it is almost 300?—A. It may be 200; I never measured it.

Q. How wide is the building—what is the frontage of that building?—A. About the same.

Q. It is almost a square building, isn't it?—A. Yes, sir.

Q. It is about 200 feet square, in other words, isn't it?—A. I don't know; I couldn't say nothing about that; I never measured it.

Q. It is a two-story building, as you said before?—A. Yes, sir.

Q. And the second story runs the complete length and breadth of the building, does it not?—A. Yes, sir.

Q. So that would make the second story then how many thousand square feet, about?—A. I don't know.

Q. You know what 200 by 200 is, don't you?—A. No, sir.

Q. What does that amount to in square feet?—A. Two hundred.

Q. Figure again, you are in the habit of selling groceries, you ought to know what square feet means?—A. I am not good at figuring.

- Q. You know how to figure the price of sugar at so much a pound, don't you?—
A. Yes, sir.
- Q. And coffee the same way?—A. Yes, sir.
- Q. You never make any mistake on a fractional price in the line of those goods, do you?—A. I don't know anything about that.
- Q. Two hundred by 200, I will state for your information, will make somewhere in the neighborhood of 40,000 square feet. That is a very large room, isn't it?—
A. Yes, sir.
- Q. You say there is nothing in that room but feed?—A. Well, I don't say it is all feed.
- Q. You say you were there two months ago or three months?—A. No, sir; I said three to four months ago.
- Q. What were you doing there?—A. Talking to Fred Eldridge.
- Q. Upstairs?—A. No, sir; downstairs.
- Q. Did you go upstairs in the building?—A. I went upstairs in the daytime, in the afternoon—well, it was in the evening, me and Fred went up there.
- Q. What time in the evening?—A. Fred gets to work about 6 o'clock, I suppose.
- Q. What time did you see Fred?—A. That is the time I seen him.
- Q. What month was that in?—A. I don't know exactly what month.
- Q. About what month, and was it daylight or dark?—A. Three or four months ago; it was not dark; no, it was light.
- Q. You went upstairs with Fred?—A. Yes, sir.
- Q. What did you go upstairs with Fred for?—A. He wanted to get something, and I went up there about the harness.
- Q. You say when you got up there you cast your eyes over the place?—A. Just looked at it.
- Q. And you saw no beds?—A. No, sir.
- Q. You saw no bedrooms?—A. No, sir.
- Q. Saw no rooms up there at all?—A. No, sir; only the harness-making room.
- Q. Do you mean to tell us there are no rooms in the second story of that building but the harness-making room?—A. That is all I seen.
- Q. How long did you stay there?—A. Two or three minutes.
- Q. And how far did you penetrate into this 40,000 square feet?—A. To the top of the stairs.
- Q. From that casual observation of three minutes you are satisfied that there was not a bedroom and no other apartment, or no beds, or anything of that character in that great building that is almost equal to the size of the St. Louis Coliseum?—A. I didn't see any.
- Q. Will you swear positively that there were none?—A. Only the harness-making room.
- Q. That was where you were?—A. I was just at the top of the stairs.
- Q. The harness-making room is at the top of the stairs?—A. Yes, sir.
- Q. You did not attempt to go around the harness-making room?—A. No, sir.
- Q. Or to any other part of the floor?—A. No, sir.
- Q. You are willing to swear right now that there were no beds in that room?—
A. I did not see any, I said.
- Q. Nor you did not see any other rooms but the harness room?—A. No; that is all I seen.
- Q. You are willing to admit, however, that is a building 200 feet by 200 feet, are you not?—A. Yes, sir; the way I look at it from the outside.
- Q. Don't you know, as a matter of fact, that there are constantly from 100 to sometimes 250 negroes absolutely sleeping in that building night after night?—A. No, sir; I do not know that.
- Q. Have you heard it?—A. No, sir.
- Q. You have not heard it?—A. No, sir.
- Q. Where do you think all those negroes that hang around that place sleep?—
A. I suppose at home.
- Q. Do you suppose all those negroes have a separate and distinct home from their place of business?—A. I might think so.
- Q. Have you been around there other than this one time?—A. I worked there before that.
- Q. Where?—A. Helping out in the daytime.
- Q. Where?—A. At the stable.
- Q. What doing?—A. Feeding on Sundays.
- Q. Have you seen negroes around there on Sundays?—A. Yes, sir.
- Q. How many?—A. I could not say.
- Q. How many, tell me?—A. About 80; something like that.

Q. They don't work on Sundays?—A. Some of them do.

Q. Did those 80 work on Sundays?—A. No.

Q. Do they remove garbage on Sundays?—A. Some do.

Q. What time of the year were you there on Sunday?—A. I don't know; that was when the stable burned down—the old one.

Q. At the old stable you saw 80 there, did you?—A. Yes, sir.

Q. There was nobody living at the old stable, you know. I suppose you are aware of that. The old stable was in such a condition that no negroes even, much less a first-class mule, could live there, and still you saw 80 there on Sunday?—A. I didn't say that.

Q. You said about 80.—A. I did not.

Q. If those negroes had homes, do you think it very likely they would be coming around a place on Sunday where they work week in and week out to spend their time?—A. Some of them did.

Q. What were they doing there?—A. I don't know; that was none of my business. I was feeding there.

Q. Did you ever work for the Excelsior Hauling and Transfer Company?—A. I worked in there some place; yes, sir.

Q. And you are satisfied then, that those negroes that were there were not working on these Sundays in question, are you not?—A. Well, at the time I was working there they were.

Q. Did you ever see a negro sleeping in the stable?—A. I have seen three or four of them; yes, sir.

Q. Where?—A. Sleeping on top—that was in the old stable.

Q. What old stable?—A. The one that burned down.

Q. How many of them have you seen sleeping there?—A. Three or four or five, something like that.

Q. When was that?—A. About two years ago.

Q. What time of the day or night was it?—A. Well, in the evening.

Q. Were you ever there at night?—A. Yes, sir.

Q. Upstairs?—A. No, sir.

Q. Never went upstairs at night?—A. No, sir.

Q. You don't know how many negroes sleep there at night?—A. No, sir.

Q. You don't know, as a matter of fact, that there is in the neighborhood of 300 cots in that stable that those negroes sleep on whenever occasion requires it?—A. No, sir.

Q. You don't know that?—A. No, sir.

Q. Have you ever been inside of the new stable?—A. Yes, sir.

Q. That was four months ago, you say?—A. Yes, sir.

Q. And only for three minutes. I understand you?—A. I don't know how long. I judge it was that. I just went up and turned around and came out.

Q. Did you go there for the purpose of making an examination at that time?—

A. No, sir; I never knew I was judge, or anything.

Q. Had no reason to glance about and discover what was going on?—A. No, sir.

Q. And it was after 6 o'clock in the evening?—A. About that.

Q. And you don't know what month it was?—A. No, sir.

ANTONIO CANTONI, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your full name.—A. Antonio Cantoni.

Q. Where do you reside?—A. At 1119a South Twelfth street.

(Counsel for the contestee objects to the introduction of this witness for the reason that the only witness whose names the contestee was furnished with in the notice is given as residing at 404 North Levee.)

The WITNESS. That is my business there.

By Mr. WALSH:

Q. That is not your residence?—A. No, sir; I don't live there.

By Mr. HOLTCAMP:

Q. Where are you in business?—A. 404 North Levee.

Q. What is your business?—A. Gents' furnishing goods—merchant tailor.

Q. How long have you been in business there?—A. Ever since 1885.

Q. What ward and precinct is that in?—A. I know it is in the Fourth Ward, but I could not say anything about the precinct at all.

Q. Now, just prior to the election on November last, did you have any conversation with anyone concerning the registration of voters from that neighborhood? (Counsel for the contestee objects to any conversation with anyone else unless in the presence of the contestee or some one representing him.)

A. The day of the registration I cautioned two or three men down there that I did not think it right to pick up anybody—there was two of them—I did not think it was right to pick up anybody and everybody and have them registered at anybody's house that did not live there, and he told me it was none of my business, and I didn't say any more.

Q. Who was it?—A. One name was William Gillam.

Q. What was his business?—A. General manager of the gambling department of William Lee.

Q. Is he in the city?—A. No, sir. He murdered a man here a little before the election and ran off.

Q. Now, on the day of the election, were you anywhere in the neighborhood of the polling place on Third and Olive—Third, just south of Olive—opposite what is now the Government annex post-office?—A. Yes, sir.

Q. Did you notice anything irregular in connection with the election that day at that polling place?—A. Yes, sir; I did.

Q. State what it was. What ward is that?—A. That is the Fourth Ward. I was up town attending to some business and was coming east on Locust, and when I got there, about Second and Locust, I noticed William Lee with a big crowd of men, colored men, going west, going west on Locust street. I stopped and I followed them. I wanted to see what that meant. I followed them up right behind them, and when I got to Third and Olive I stepped up on to the custom-house steps and I seen William Lee step back of me where the box is where you put in the letters and watch those people that went into the registration booth. After they were in there quite a while, I don't know how long, and when they came out they came by him and handed him something. What it was I couldn't say. After that they all went down together, down Olive. I went down Locust and went to the store. I was there about twenty minutes when the same crowd came right back, and I followed them up again, and they did the same thing as they did at first.

Q. What day was that; the day of the election?—A. The day of the election, a little after 6 o'clock.

Q. Morning or evening?—A. In the evening, twenty minutes after 6 o'clock by my watch.

Q. Where did they go the second time?—A. To the clubroom.

Q. No; when they came you say you followed them the second time. Where did they go to?—A. Went to the polling place and then came down.

Q. Where had they been in the meantime?—A. Had been down to the clubroom on the levee.

Q. What clubroom?—A. They have a clubroom down there—William Lee's clubroom.

Q. What kind of a club?—A. I believe it is named the East End Jefferson Club; I think that is the name.

Q. What is the political faith of that club?—A. I couldn't tell you that.

Q. What is its composition—white or colored?—A. All colored people.

Q. Do you know whether it had any connection with the Jefferson Club of this city?—A. No, sir; I do not.

Q. You don't live in that precinct or ward?—A. No, sir.

Q. Where did you say you were in business?—A. 404 North Levee.

Q. Do you know the building at 409 North Levee?—A. Yes, sir.

Q. What is it?—A. That is William Lee's building.

Q. What kind of a place is it—what kind of a building and how occupied?—A. I never was on the inside; it is a three story and a half building, I think, or three story; it is owned by the Botanical estate—Shaw's estate.

Q. The ground floor—how is that occupied?—A. That is a saloon.

Q. The second and third floors you have never been in?—A. No, sir; I never was up there.

Q. Do you know how many were registered from that place?—A. I do not.

Q. Do you know of any registration from the place of parties not living there?—A. Yes, sir.

Q. State what you know.—A. I know a good many of them that are not entitled to register from there that were registered there.

Q. How many?—A. It is hard to say the right name, but they went under an assumed name; I know two, a party by the name of James Murphy, John Walker,

and several others; I don't know whether that is the right name or not; those names I know them by, and I know they voted all right.

Q. Not entitled to vote from that place?—A. I know they ain't.

Q. Are you acquainted at 407 North Levee?—A. Yes, sir.

Q. Who occupies that number?—A. Joseph Rausch.

Q. What kind of a place is that?—A. A saloon and eating house, rooming house, or lodging house.

Q. Do you know anything about the registration from that number?—A. All I know is what Mr. Rausch told me himself.

Q. What was that?

(Counsel for the contestee objects to the question as incompetent, being hearsay.)

A. He said that there were twenty-one or twenty-two names registered from there and only two of them had lived there, and those he did not know whether or not they voted.

Cross-examination by Mr. BUTLER:

Q. You mention two names that you said you knew voted from one of those places—Murphy and who else?—A. John Walker.

Q. And who else?—A. I don't know the right names; this John Walker, I believe they call him "Soldier."

Q. What is he, a white or black man?—A. A black man.

Q. And the other man?—A. James Murphy.

Q. You say they voted from this Lee place?—A. They went up to vote with him; yes, sir.

Q. Did you see them vote?—A. No; I didn't see them vote; I would not be allowed in the booth.

Q. Why do you sit here and testify under oath that you know they voted, then?—A. I seen them go in the booth; I was not allowed to go in the booth.

Q. Why did you testify under oath that you knew they voted?—A. I know they went in there.

Q. Is that voting?—A. That is for the judges to decide and not me.

Q. It is for you to decide whether you are telling the truth.—A. I am telling the truth; I seen them go in.

Q. You saw them go in, that is all you did see?—A. That is all.

Q. You did not see them vote?—A. No; I seen them go in.

Q. You don't know whether they voted under their own names or somebody else's, if they did vote?—A. No, sir.

Q. You don't know whether they are registered from that number?—A. From where?

Q. From Lee's place.—A. The whole lot is registered from there.

Q. If they did register from there, didn't they have a right to vote from there?—A. I don't know whether they had or not.

Q. You don't know whether a man has a right to vote from the place where he is registered and lives?—A. If he lives there.

Q. How do you know he did not live there?—A. He has no boarding house.

Q. Ever been there?—A. No, sir; not upstairs.

Q. And you say you know he has no rooming place?—A. People that have been there have told me all about it.

Q. Where were the polls in that precinct?—A. On Third street, opposite the old custom-house.

Q. What number?—A. I don't know; right across from the custom-house on Third street.

Q. You were passing by there casually on this day and saw this crowd?—A. Not by there; I was coming down Locust street.

Q. How far is that from the polling place?—A. Second and Locust, that is two blocks from the polling place.

Q. You saw Bill Lee standing there?—A. No, I didn't say that; I said I seen a big crowd following Will Lee.

Q. Then what did you see?—A. I followed him up to see what they were going to do, and I seen him bring them there to the outside of the polling place and they went in and he went across the street and watched them until they came out.

Q. To the door?—A. Not to the door, the cigar store on the corner of Third and Olive, on the southwest corner.

Q. He did not bring them to the door?—A. No; brought them to the corner; he stood at the corner as they passed by.

Q. What did he do?—A. He went across the street.

Q. Then what did he do?—A. Nothing; he staid there until they came out.

Q. You said a moment ago he hid behind the letter box?—A. No, sir; there was

no letter box to hide behind; there is a newspaper box there; he stood alongside of that with his umbrella, waiting for them to come out.

Q. What time of day was that?—A. Little after 5.

Q. Then where did you go?—A. I staid there.

Q. How long did you stay there?—A. Until Will Lee left there.

Q. Where did you go?—A. After I seen the people come out and hand him something he went down Olive and I came north on Third street, and I came down on Locust and I met them again on Second and Locust. I got ahead of him. I went to the store for twenty minutes and saw him coming back and I followed him again.

Q. From where?—A. From 409.

Q. How far was that from your place?—A. I am 404; five doors.

Q. How long did you stay at the post-office in the afternoon when the first crowd was going in, as you say?—A. I don't know; fifteen minutes or so.

Q. How many were there in the party?—A. I should say about 10 or 12.

Q. You waited until every one came out of the polling place?—A. I waited until every one came out of the polling place.

Q. Are you sure you are able to identify each and every one?—A. No, sir; not all of them, but some I can.

Q. When they came by your store on the second occasion, you stated that you recognized the same crowd?—A. Not all; some of them, I said.

Q. What time was that?—A. They got on Third and Olive twenty minutes after 6 by my watch.

Q. That was on the 4th of November, wasn't it?—A. It was election day.

Q. It was dark, wasn't it?—A. Yes, sir, and raining, too.

Q. And still you recognized from the interior of your store?—A. No, sir; I was at the door; I was getting ready to go home.

Q. You did not have any customers?—A. I don't have to have any.

Q. Don't need any in your business—that is a good business.—A. Not at that time of night.

Q. You followed them again?—A. I had to go home and I followed them again.

Q. Did you have an umbrella with you?—A. No, sir.

Q. Went in the rain?—A. Went in the rain.

Q. You recognized them as the same parties that went in before?—A. Two of them.

Q. You said you recognized the whole crowd?—A. No, sir; I recognized two of the same party that was in the first lot.

Q. Who were the two?—A. A tall man a little over 6 feet high, and another fellow called "Soldier."

Q. The same man again?—A. Yes, sir.

Q. You are working that poor soldier to death.—A. I don't know about that—he would work me to death, I suppose, if he could.

Q. Do you know him?—A. Yes, sir.

Q. Did you ever have any dealings with any of them?—A. I suppose so. I am not there all the time; I have other business.

Q. Did you follow them a second time?—A. That is the second occasion I am telling you about.

Q. Where did they go then?—A. Straight up Locust to Third, then south on Third to Olive, then on the east side of the street and diagonally across over where the cigar store is, and Lee stood there and saw that they went into the booth, and he came back in the same place again.

Q. The same identical place?—A. Not exactly the same spot; maybe a little farther east.

Q. It was dark at this time?—A. Yes, sir.

Q. Pitch dark?—A. No; not really pitch dark; it was raining.

Q. Half past 6, and raining?—A. Twenty minutes after 6 by my watch when we got there on Third street.

Q. You said it was twenty minutes after 6 when they first left you on the levee.—A. No, sir; on Third and Olive.

Q. What did they do?—A. Like the first time they went in. I don't know whether they voted or not, and he waited for them to come out.

Q. You did not go there to see whether they voted or not?—A. No, sir.

Q. Did you have any conversation with Will Lee at that time?—A. No, sir; I did not.

Q. Did you tell anybody at that time what you had seen?—A. No; I did not then.

Q. When did you tell them?—A. I told anybody that ever asked me for it.

Q. When did you tell anybody?—A. Two or three days afterwards.

Q. Who did you tell then?—A. I couldn't say. Going up and down people will get into conversation and I simply told them what I saw, and they told me what they saw.

Q. How did you come to be subpoenaed in this contest, do you know?—A. I couldn't tell you that, either.

Q. Did you tell the central committeeman of the ward down there?—A. I don't know the central committeeman of that ward, or any other ward in the city.

Q. Who is the central committeeman of your ward?—A. I don't know him.

Q. Did you tell any police officer?—A. No, sir; I did not.

Q. Do you know who you did tell?—A. I couldn't say; a lot of business people during the day.

Q. When were you first summoned in this case?—A. The other day; two or three days ago; yesterday, or something; I don't know. I know I was away this morning, and when I got down to the store an hour ago they told me I was wanted up here, and I came here.

Q. You have no recollection of having told any particular individual about what you saw on that day?—A. No, sir.

Q. You can't recall a single soul that you told about it?—A. No, sir; a thing like that we discussed it on the street right after the election, but I can't remember who I told it to.

Q. You don't remember anybody?—A. No, sir.

Q. What is your business?—A. Merchant tailor and gent's furnishing goods.

Q. You keep a haberdasher shop on the levee?—A. I keep goods suitable to my trade.

Q. What do you sell?—A. Most anything.

Q. Any old thing?—A. Not any old thing.

Q. Do you keep a pawnshop?—A. No, sir.

Q. Do you sell confectionery or fruits?—A. No, sir.

Q. Or cakes?—No, sir.

Q. Do you sell pistols?—A. No, sir.

Q. Brass knuckles?—A. No, sir.

Q. Nothing of that kind?—A. Nothing of that kind.

Q. You don't keep a regular levee haberdashery?—A. No, sir; I don't sell no pistols or no knives. I keep a legitimate business.

Q. You don't know how many live in that precinct?—A. No, sir.

Q. Don't know how many are entitled to vote from Lee's place?—A. I don't know how many are entitled to vote; no, I don't.

Q. You never have been through it?—A. No, sir, and I don't want to go through it.

Q. Why?—A. A place of that kind I think a man like me has no business there.

Q. It is very close to you?—A. That makes no difference. I can live next door to anybody provided I behave myself.

Q. Do you know Lee personally?—A. I do.

Q. Is he a friend of yours?—A. I speak to him.

Q. Ever have any trouble with him?—A. No, sir; not any serious trouble.

Q. What trouble have you had?—A. The only trouble I had was last July. He wanted to get a license and I stopped him until about six weeks ago, or two months ago, when he defied the property owners and taxpayers, and said we couldn't do anything, and he opened up.

Q. He got the license in spite of you?—A. I don't know that he has got any. I know that he is selling there.

Q. That is the reason you are sore at Bill Lee, isn't it?—A. No, sir; I am not sore at him. I spoke to him two hours ago.

Q. Was he here?—A. No, sir; I met him on Locust street.

Q. I would like to see him. I would like to know what he looks like.—A. I suppose if you want to see him you will have to send for him.

Q. You are a Republican?—A. No, sir; not a Republican or a Democrat either.

Q. What is your politics?—A. I am a great scratcher; I vote for just as many Democrats as I do for Republicans.

Q. Are you familiar with political conditions in St. Louis?—A. No, sir; I never took any interest in politics at all.

Q. On what do you base your system of scratching, then?—A. I read the papers. I get pretty near all the English papers in the city.

Q. Then you must be familiar with politics?—A. Not familiar, but I have my opinion.

Q. Do you form your opinion from the newspapers?—A. That is about the only way I can form it.

Q. What papers do you read?—A. I have been a subscriber for the Republic and Post-Dispatch for twenty-five or thirty years.

Q. The Republic and Post-Dispatch?—A. Not the Post, but the Republic. I have been a subscriber of the Post for about eighteen years.

Q. And the Globe-Democrat for how many?—A. The Globe—I get it occasionally.

Q. What other papers do you read?—A. I read the World every morning. [Laughter.]

Q. What other papers?—A. That is all.

Q. Do you draw your opinions from those papers?—A. No; I generally read them, and of course, a man, he can judge himself. I have got some good Democratic friends and I have got some good Republican friends.

Q. Do you know the political conditions that existed in this city right before the last election?—A. I do not.

Q. You did not find that out from the papers?—A. Politics never bother me.

Q. What part of the papers do you read particularly?—A. Most everything, if I have time.

Q. Did you ever read about the squabble between the two factions in the Republican party—the Kerens faction, as they call it, and the Atkins faction, or the Roosevelt and the anti-Roosevelt factions, or whatever they term it; I don't know exactly, myself?—A. I may have seen something of it, but I don't know that I read anything about it; I did not take that much interest in it.

Q. Did you read about the city central committee of the Republican party—about twenty of them being expelled by a small minority of eight?—A. No, sir; I don't think there is a Republican central committee in St. Louis that I know of—that I am personally acquainted with.

Q. Isn't it a fact that there has been so many of them that it is hard to keep track of them?—A. I never did know any of them.

Q. Did you know how many candidates there were on the Republican ticket for Congress, or, rather, do you remember who the Republican candidates for Congress were right prior to the last election?—A. The only thing that I know is a few days before the election there was two candidates, I believe, for Congress—Wagoner and Reynolds, I believe.

Q. Did you ever hear about Mr. Loffhagen?—A. No, sir; I may have read of it, but I don't know as I remember reading it; if I did I don't remember it.

Q. Do you know John B. Owens?—A. No, sir.

Q. Do you know Mr. Teasdale?—A. No, sir.

Q. What ward do you live in?—A. I am in the Sixth.

Q. Who is the committeeman of your ward?—A. I don't know; politics does not bother me at all; I have plenty of other things to attend to.

Q. What is your address in the Sixth Ward?—A. 1119a South Twelfth.

Q. What precinct is that, do you know?—A. That I couldn't tell you, either. I know I voted on Eleventh street between Chouteau avenue and Hickory, near Hickory on Eleventh on the north side of the street.

Q. This club of negroes in the east end—do you know the political faith of that club?—A. Only from what I seen in the parade prior to the election.

Q. What is that?—A. "Hurrah for that—" "Kinney! Kinney!" and "Edward J. Butler for Congress!"

Q. Edward J.; how many were in that parade, do you know?—A. It looked like they coaxed everybody to follow it up.

Q. Did you see them coax them?—A. Yes, sir; I saw them grab them by the arm and ask them to follow them up, and they gave them all they wanted to eat and drink.

Q. Where was that?—A. Locust and the levee.

Q. And gave them all to drink that they wanted?—A. Gave them all they wanted to eat and drink; yes, sir.

Q. How many?—A. Twenty-five or thirty. Some would drop out and wouldn't go; sometimes they would.

Q. Do you know where Morrison avenue is?—A. Yes, sir.

Q. That is in your precinct?—A. I couldn't say. It is south of me.

Q. How many blocks?—A. That is one block south of Hickory.

Q. And you don't know John B. Owens?—A. No, sir; I do not.

At this point, not being able to continue the taking of these depositions by reason of the absence of witnesses, I adjourned the further taking of the same until 10 o'clock to-morrow morning, December 18, 1902, then to be resumed at the same place and between the same hours.

ST. LOUIS, MO., *December 18, 1902.*

Parties met pursuant to adjournment and the hearing was this day resumed as follows:

A. H. KANNING, being duly sworn on behalf of contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Your name is A. H. Kanning?—A. Yes, sir.

Q. You live at 910 Franklin avenue, in precinct five of the Fourth Ward?—A. Yes, sir.

Mr. WALSH (for contestee). We will object to the introduction of this witness, for the reason that we have not at this time received any notice of the fact that he is to appear here before Notary Sanders or before any notary or anywhere.

Q. That is in the Twelfth Congressional district?—A. Yes, sir.

Q. You were one of the judges at that precinct at the election on November 4 last?—A. Yes, sir.

Q. J. H. Dinkelman was another of the judges of that precinct?—A. Yes, sir.

Q. What is your age?—A. 46.

Q. Do you know anything about the registration in that precinct at the last election?—A. Yes, sir.

Mr. WALSH. We want to again enter our protest and objection to the admission and presence in the room where the depositions are being taken of a large number of witnesses who have been called by the contestant.

Q. Do you know the number of registered voters at the last election in that precinct?—A. That were registered at the election?

Q. Yes, whose names appear on the registration list for that ward?—A. Well, there was in the neighborhood of 810 or 812, and then there was about 90 names stricken off, which I think left a balance of about 720 or something like that.

Q. Are you familiar with the number of names on the registration book of that precinct at the last previous election?

Mr. WALSH. We will object to this question, as calling for the recollection of the witness as to matter contained in certain public records, which would of themselves be the best evidence.

A. As near as I remember we never have over four hundred and some odd—between four hundred and five hundred—at previous elections.

Q. What opportunity do you have for knowing what the registration list was at the last previous election in that precinct?—A. Well, I have served in the precinct for a number of years as judge of election.

Q. I will ask you whether or not there were as many voters or as many persons entitled to vote in that precinct at the last election as shown by the registration list?

Mr. WALSH. We will object to this question for the reason that it calls for the conclusion of the witness.

The WITNESS. Can I answer as I want to?

Mr. RICHEY. Why, yes.

A. I don't think there are as many voters in the precinct as are registered in the poll books.

Q. I now show you the official registry of voters in Ward Four, precinct five, for October, 1902, initialed by the commissioner and containing 769 names, and ask you if there were 769 legal voters in that precinct at the time of the last election?

Mr. WALSH. We will object to the introduction of this list as the official list, as it has not been shown that it is an official list nor that it comes from any person or pretending to show that it is an official list.

Mr. RICHEY. I will follow that up and show that, of course.

Mr. WALSH. Well, do that in this case.

Mr. RICHEY. No; I won't. I will have to be allowed to arrange the order of introduction of proof myself.

The WITNESS. I don't think there was.

Q. How long have you lived in that precinct?—A. I have been there, I guess, about eight or nine years.

Q. What is your business?—A. I am a cigar maker.

Q. What is your acquaintance in that precinct with the voters there—large or small?—A. Well, I know a good many of them or the greatest portion of them by sight and a good many of them by name.

Q. Do you know how many streets there are in that precinct from which voters

are registered?—A. I can't say that exactly. I can give pretty near an outline of it, not exactly, though.

Q. What is the first street?—A. I can't call that exactly, but it runs from Ninth over to Lucas avenue, I think, and up to Thirteenth, and down over to Wash, and back on Eleventh to Franklin avenue, and down to Tenth, and takes the south side of Franklin avenue.

Q. Were you one of the judges that took part in the revising of the registration lists in that precinct?—A. Yes, sir; I was there at the registration and the revision both.

Q. Who helped you in that work?—A. Mr. Dinkelman and Mr. Raymond.

Mr. BUTLER (the contestee). I desire at this time again to enter protest against the testimony of this witness, for the reason that we have received no notice, and I have just sent to Judge Bond to ascertain, and he states that he has received none, and I know I have received none, and Mr. Walsh has received none. I want to introduce this objection under section 109 of the Revised Statutes, which reads as follows: "The notice shall be served so as to allow the opposite party sufficient time by the usual route to travel to attend, and one day for preparation exclusive of Sundays and the day of service."

Q. Who are the Democratic judges and clerks that helped?—A. Mr. Hughes and Mr. Madden.

Q. Peter Hughes and James Madden?—A. Yes, sir.

Q. Do you remember the night of revision day?—A. Yes, sir.

Q. Do you remember what was done with the books and papers and registration lists? If so, tell us.—A. They were taken away by James Madden and Peter Hughes, I think, as near as I remember. At least they were not there to check up or look up or to have any of the names stricken off out of them, and we had to go up before the election commissioners to straighten the matters out.

Q. Did Hughes and Madden have both the books and papers that belonged to the Democratic side and the Republican side as well?—A. Well, the Republicans had no books, but who had possession of the books I don't know.

Q. There was no registration book or list in the hands of the Republican revisers for that registration?—A. No, sir.

Q. Do you know M. Rosenthal, a Democratic judge at that precinct?—A. Yes, sir.

Q. Did you have any conversation with him about the registration or about the voting at your precinct?—A. Yes, sir; we had some talk about it.

Q. Where and when?

Mr. WALSH. Objection is entered to hearsay, and conversations with other parties which were not held in the presence of this contestee, or one of his representatives.

A. At the polling place on Tenth street, between Morgan and Franklin avenue.

Q. When?—On the day of election, November 4.

Q. Did you have any conversation with him about registration before that time, that you remember?—A. Well, all he said at the night of revision was that they had taken the books. That is all the conversation that I had with him.

Q. The registration book?—A. The polling books; registration books; yes, sir.

Q. That who had taken them away?—A. Well, I guess Hughes and Madden; I don't know who else.

Q. Now, at the conversation on election day, tell what Rosenthal said?—A. Well, he said that we had to be careful.

Q. Who had to be careful?—A. All of us; that we didn't want any trouble.

Q. How did he say trouble could be avoided?—A. Well, he meant that we had to kind of leave things go, I guess.

Q. Leave what things go?—A. Well, let things go the way they would, I guess.

Q. When?—A. Well, on that day; when the election was.

Q. Well, go on and tell us what he said about it; give the conversation as fully as you can, what he said, and what you said?—A. Well, I can't give the details of the conversation, not all of it.

Q. Well, then, state the substance of it.—A. Of course, at different times at the election, arguments came up and he would say "keep still." He would say that in German to me.

Q. To whom did he address that?—A. To me.

Q. What reason did he give?—A. Well, he said it was told to him that we had to kind of give in in order to avoid trouble.

Q. Give in to whom?—A. Well, give in to the people that was going to run the election.

Q. What people was it that was going to run the election?—A. I don't know.

Q. You didn't know to whom he referred, then, and who it was that was going to make any trouble?—A. Well, I guess he meant the opposite party to me.

Q. Well, what party was that?—A. The Democratic party.

Q. Who was present, if any one, at this conversation? A. Mr. Dinkelman was there, and I guess Mr. Raymond was there, for all I know; but I know Mr. Dinkelman was there, and I guess Mr. Raymond was there, too; and Mr. Raymond allowed that we would have trouble.

Q. Now, was there any trouble during the election day at that precinct?—A. Oh, there was arguments and wrangling back and forth all the time.

Q. What about?—A. About people voting.

Q. Was there objections made to their voting?—A. Yes, sir; there was some fellows repeated there, and we objected to it.

Q. How many repeated?—A. Oh, I have no idea; I couldn't give no estimate, exactly.

Q. A large number or a small number?—A. Well, there was a large number.

Q. Who objected to it?—A. I did.

Q. To whom?—A. I objected to a good many of them voting there.

Q. To whom did you make your objection?—A. I made it to the people that voted there, and I also appealed to the officer.

Q. Did that have any effect on stopping the repeating?—A. No.

Q. Did anyone else object to the repeating?—A. Yes, sir; Mr. Dinkelman objected, and we both objected; and Mr. Raymond objected, and there some colored fellows there that wanted to vote, one big, tall fellow, and we knew them by sight, and we said: "You have voted."

Q. That is, voted before?—A. Yes; and he walked off again. The big, tall fellow walked out again.

Q. He offered to vote?—A. Yes, sir.

Q. And then, when that statement was made, he turned around and walked out?—A. Yes, sir; because we all knew him.

Q. Do you know any of the people who voted more than once there?—A. Well, these people that voted there, they seemed to be all strangers to me, or a good many of them, anyway, and they always came in in a bunch—15, 20, 25, or 30 at a time—and they all had their names all ready and they just came up and said, "My name is so and so," and they would go ahead and vote; and we had agreed that if the names were found on the poll books that we would let them vote. There were some people that we did not know.

Q. Who made that agreement?—A. Well, we made it in the morning, because they had no challengers there on their side.

Q. When you say "we made the agreement," who do you mean by "we"?—A. Well, the judges, both parties.

Q. And the clerks, or had they nothing to say about it?—A. I don't know about the clerks. They were there, too, I guess.

Q. What was that agreement?—A. That the names that were found on the books, that they would be entitled to vote.

Q. Whether they were entitled to a vote in fact or not?

Mr. WALSH. We will object to that statement of Mr. Richey.

Q. Is that what you mean?—A. Well, if we positively knew that they were not entitled to vote, we wouldn't let them vote; but there were some we did not know and they came and said their names were so and so, and they voted.

Q. Why did you make that agreement?—A. Well, to avoid any wrangling.

Q. What do you mean by "wrangling"?—A. Well, so they wouldn't have no fights and no disputes or arguments.

Q. Did Mr. Dinkelman go into that arrangement, too?—A. We all went into that arrangement—all the judges and clerks there.

Q. What was the motive? Why did you make an arrangement of that kind?—A. Well, we didn't want no trouble, because it was mentioned to us that there would be trouble, and we didn't want any trouble.

Q. What kind of trouble was it mentioned that there would be?—A. Well, I guess they wanted to beat us up or knock us out or something, I don't know.

Q. Beat you up and Dinkelman?—A. Well, anybody that would not do as we should.

Q. What do you mean by "do as we should"?—A. Well, if we wouldn't do as they wanted us to.

Q. As who wanted you to?—A. Well, the opposite party.

Q. What party was that?—A. Democratic party.

Q. Are you afraid to give your testimony here this morning, Mr. Kanning? Is that the reason that you hesitate?—A. Well, I don't feel just right about it, although I was in the contest before at Judge Fisse's.

Q. You say you "don't feel just right about it." What do you mean by that? That you are afraid to tell the facts as they are for fear of what may happen or the result of it?—A. Oh, a man never wants to get into trouble.

Q. Are you afraid that you will get into trouble if you tell us what you know about that election in that precinct?—A. Well, I don't know.

Q. Did you make more than one objection to the people repeating there?—A. Yes, sir.

Q. Do you remember any instance other than the one you have already told us about?—A. Oh, there was several; maybe half a dozen or a dozen; maybe more. I don't know exactly, but it was all day long there were more or less objections.

Q. To whom did you make those objections?—A. I made them to everybody that was in the polling room.

Q. Did you call the attention of the officers? Were there officers present—police officers?—A. Yes, sir.

Q. Did you call their attention to the fact that men were repeating?—A. Yes, sir.

Q. What did you say when you called their attention?—A. I said: "That man has voted twice and he is trying to vote again—a man named McLaughlin, he is trying to vote on his name, and I know McLaughlin, and that ain't McLaughlin. I want you to put him out." He says: "I don't know nothing about it. If his name is on the book let him vote;" and I says, "Well, he ain't McLaughlin. He has already voted twice and you know he has voted already;" and he says, "I don't know nothing about it;" and started to call me down.

Q. Started to call you down?—A. Yes; because I said that he knew about it.

Q. And that was the result of that protest?—A. That is all there was of it. This man walked away and that was the last of it.

Q. How many times did he vote?—A. Three times. He voted twice before that. I asked the other judges, "What are you going to do about it?" and one of them says, "If his name is on the book, he will vote."

Q. And that is one of the names counted on the election returns in that precinct?—A. Certainly; because McLaughlin didn't vote at all. I don't know whether McLaughlin is in this precinct or not. I wouldn't be sure.

Q. How many voting stalls for the accommodation of voters were there in the precinct?—A. I think we had but three, but I won't be sure; or two, all that was sent there, whatever the number is.

Q. What arrangement was made, if any, about allowing the voters to come in there? How many were to be permitted there at a time?—A. Oh, they would let a whole drove in there at one time, with all our protests, and they would crowd right in on top of us.

Q. When did the crowd begin to come?—A. Oh, they were all day coming and going.

Q. How many would be in the room where there were but three stalls for the accommodation of voters at one time?—A. Oh, I don't know: 20 or 25 or 30 or 35; just how many could get in.

Q. You say you protested against so many being allowed in?—A. Yes, sir; several times.

Q. To whom did you protest?—A. To the officers there, trying to keep order.

Q. What did the officers do then?—A. Well, they made a bluff at it.

Q. What do you mean by "they"?—A. They pretended to keep order, but they let them have it their own way pretty much.

Q. Did they undertake to press any part of the crowd out?—A. Well, sometimes some of them would go out and others would want to come in, and they would keep the others back and let the whole crowd come in.

Q. Who would they keep back?—A. Well, some of the outside voters—some of the voters standing outside.

Q. Now, when the polls closed, were the poll books signed?—A. Yes, sir.

Q. When were they signed, before or after the counting of the votes?—A. Well, these books that contained the list of the names that are written as they vote, I think they are called poll books, they insisted upon our signing them before the votes were counted, and I looked at Dinkelmann and didn't know what to do about it, and so afterwards we signed them.

Q. Who insisted that the books should be signed before the votes had been counted?—A. Well, there was a whole lot of them. I don't know who they were, all that were there, but I guess there was ten or fifteen of them there; outsiders that didn't belong there.

Q. Where were they, on the inside?—A. In the polling place.

Q. After the polls had closed?—A. After the polls had closed.

Q. How many did you say?—A. I should judge about ten or fifteen. I don't know exactly. There might have been a few more or a few less. I didn't count them.

Q. There was that many there in addition to the judges and clerks?—A. Yes, sir.

Q. Were they strangers to you, or were you acquainted with them?—A. Some I knew and some I did not know.

Q. And they were the ones that insisted that the books should be signed before the votes were counted?—A. Yes, sir; because I told them during the day if they would let them fellows vote that way I wouldn't sign the returns.

Q. You told whom during the day?—A. Why, the judges and clerks.

Q. That if they allowed this repeating to go on—A. That I would not sign the returns.

Q. Then this crowd came in, and they were allowed in?—A. They were allowed in; yes, sir.

Q. Who allowed them in?—A. The officers.

Q. Now, was that a request or a suggestion or a demand that they made that you should sign those books?—A. Well, they wanted us to sign them.

Q. And you say you looked at Dinkelman and then concluded to sign them?—A. Thought that it was best to sign them.

Q. Why did you think it was best to sign them?—A. Well, to not have any trouble.

Q. From whom?—A. Well, from the opposite party.

Q. Did the presence of those ten or twelve or more people who were outsiders in there in the polls, after the polls had closed where you were conducting the count of the ballots, have anything to do with your signing the books before the ballots were counted?

Mr. WALSH. We object to the evident effort of Mr. Richey to prompt this witness into saying something which he has several times already denied.

The WITNESS. I don't understand.

Q. Did the presence of these outside persons in the polls have any influence on you in signing these books before the ballots were counted?—A. Well, it looked a little suspicious that there was such a big enforcement came there. I thought it would be best to sign and avoid any trouble.

Q. You thought it would be best?—A. Yes, sir.

Q. What do you mean by "best"?—A. Well, to avoid trouble.

Q. Thought it would be safer?—A. Yes, sir.

Q. State whether or not you were afraid to refuse to sign.—A. Well, I was a little afraid. I went over and talked it over with my wife, and my wife said the best way out of it was to sign and be done with it, and I went over and did it. I went over to the house and they followed me over there.

Q. Who followed you over there?—A. Well, there was some officers; they said they were waiting for me and I should come over, and my wife said, "You go over and sign it," and I went over and signed it.

Q. You were afraid to sign them?—A. I was afraid not to sign them.

Q. Do you know what the result was as to the vote for Congressman in that precinct?—A. No; I don't know. I don't know a-thing about it, which way it went.

Q. Were you ever called before the grand jury?—A. Yes, sir.

Q. About the results of the voting at this precinct?—A. Well, previous to the election.

Q. Have you been called before the grand jury or to the circuit attorney's office with reference to this election since the election occurred?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Your business, Mr. Kanning, is cigar maker?—A. Yes, sir.

Q. Are you a manufacturer or a journeyman?—A. I am a manufacturer.

Q. Where is your place of business?—A. No. 910 Franklin avenue, next to Dunn's.

Mr. BUTLER. We desire to interpose the objection made before and state that we are cross-examining this witness under protest, and insist upon our objection as before.

Q. As to the number of persons who were entitled to vote in this precinct, what effort did you personally make to discover how many were entitled to vote there?—A. Well, I only took that from the previous election and from memory.

Q. Aside from that you made no personal canvass of the precinct?—A. No, sir.

Q. Nor assisted anyone in making that canvass?—A. No, sir.

Q. So far as you know that canvass is made by the clerks in accordance with

the law?—A. Yes, sir. After we went up to the election commissioners it was ordered to be recanvassed.

Q. And that recanvass was made in accordance with the orders from the election commissioners?—A. As far as I know; I am not acquainted with the details of it.

Q. You were a judge at that election?—A. Yes, sir.

Q. And you know that the board of election commissioners ordered a recanvass, and your information is that that recanvass was made?—A. Yes, sir.

Q. What is the character of this precinct with reference to the inhabitants? Is it a boarding house and lodging house precinct to some extent?—A. Yes, sir; there are some boarding houses in the district. I believe.

Q. Quite a number of boarding houses and lodging houses, are there not?—A. That I don't know. I know there are some on Morgan street there.

Q. It is a district in which a large number of laboring men live, isn't it?—A. Yes, sir; there are laboring men that live there.

Q. And men of no families: men who are simply boarding, and there are comparatively few families?—A. Well, there isn't many families there; there is some families, though.

Q. But it is almost in every instance every house has a larger number of men than it has of women; that is, the number of men living in this district is much greater in proportion than in a residence district exclusively?—A. Yes; I believe that.

Q. Now, you stated that there were numerous arguments and wrangles during the day?—A. Yes, sir.

Q. Have you been a judge or an election official in any capacity at any previous election?—A. Yes, sir.

Q. At what election?—A. Well, at the time that McKinley ran.

Q. And at what other?—A. City election.

Q. Which city election? What year?—A. Well, I was there about eight or nine years, I guess.

Q. You have been eight or nine years continuously serving as a judge of election?—A. Yes, sir.

Q. Now, is it not a fact, Mr. Kanning, that at almost all elections there are considerable arguments and wrangles from time to time?—A. Yes, sir.

Q. And this election differed in no particular from any other election, as to arguments and wrangles, did it?—A. Well, there may be arguments at all times, but this time they had all the arguments their way and we had nothing to say.

Q. But that was from your choice, wasn't it?—A. No.

Q. You had come to the conclusion that it was better for you to keep quiet and allow the arguments to go the other way?—A. Well, I couldn't do anything else.

Q. So that was the conclusion that you arrived at?—A. Yes; because when protests were made there was none of them that were substantiated. They all fell through; the opposite party always had their way, so I quit wrangling to a certain extent.

Q. And the wrangling practically stopped when you quit wrangling?—A. No, not altogether; others made protests. Raymond made protests.

Q. Who is Raymond?—A. The Republican clerk.

Q. Now, you have stated that some fellows repeated, as you supposed.—A. I know it.

Q. Who did you make that statement to?—A. I made it right there to all of them in the polling place. I says: "There is a fellow who has repeated twice, and here he is repeating the third time, and I want you to put him out?"

Q. Then you subsequently signed the returns in which you believed that there had been persons who cast ballots which they should not have been permitted to cast?—A. Yes; and that ain't the first time I have done it, either.

Q. You have done the same thing before?—A. Yes, sir.

Q. In connection with those persons whom you charge with being repeaters, were their names found on the registration books?—A. Well, most of them found them in their pockets.

Q. Did you see them find them in their pockets?—A. Some of them; yes, sir.

Q. How many of them?—A. Oh, quite a number of them.

Q. Well, can you be a little more specific as to the number?—A. Well, I wouldn't say this as official, but as near as my memory serves me, 200.

Q. That you saw with the names in their pockets?—A. No; I didn't see them all with their names in their pockets, but I mean fellows that voted illegally.

Q. I am asking you about those with the names in their pockets, as you say.—A. I seen some of them take the names out of their pockets and then stick them aside, and then call them out.

Q. How many of them did you see?—A. I couldn't say. I noticed several.

Q. What do you mean by "several?"—A. Two or three, probably.

Q. Was the actual number that you claim that you saw look at their names there two or three?—A. Well, there might have been more.

Q. But you will swear positively that there was two or three?—A. Well, I will not say positive as to three; I will not say positive that it was three, but I will say two positively. I will swear to that.

Q. Now, you won't reduce that to one, will you?—A. No, sir; I won't.

Q. You will stand on the two?—A. Yes, sir; I will.

Q. Now, do you know how those two voted or what particular ballot they cast?—A. No, sir; I do not.

Q. You don't know whether they voted a Republican ballot, do you?—A. We had no Republican ballots.

Q. You had none?—A. No.

Q. Do the returns from that precinct show that there were no Republican ballots cast?—A. Well, I don't know now; I don't believe there was. Well, I will say 25 or 30.

Q. You mean, when you say there were no Republican ballots, that there were 25 or 30?—A. In comparison with the other—

Q. No; under your actual statement—

Mr. RICHEY. Finish your answer.

Mr. WALSH. Answer the question and explain to Mr. Richey when you get ready.

Mr. RICHEY. I object to cutting the witness off in the middle of his answer and not allowing him to explain, with a view to making the record appear to the disadvantage of the witness.

Mr. WALSH. We object to Mr. Richey cross-examining the witness during the cross-examination which is being conducted by the contestee. Now, you will kindly answer my question, and when Mr. Richey questions you you have a perfect right to answer him. How many Republican ballots were cast in that precinct?

A. I don't know exactly, but I will say about 25 or 30.

Q. Then, when you stated a few moments ago that there were none you meant 25 or 30?—A. I meant that there were none compared with the Democratic votes, because there have always been more Republican than Democratic votes in our precinct.

Q. Then your answers are made in a comparative way. Do all of your answers apply exactly in the same way as 25 or 30 is to none?—A. Well, no. I made this answer in the way that you put the question to me. I said there was none compared with the Democrats, which is a large majority. It is none to speak of in that precinct.

Q. I will recall the question. I asked you whether or not these two men, that you claim that you saw take their names from their pockets, cast a Republican ballot or not, and you said there were no Republican ballots. Isn't that a fact?—A. Yes, sir; I believe I said that.

Q. When you said that you did not mean what you said, did you?—A. Yes; I mean what I say.

Q. Do you still contend that there were no Republican ballots cast?—A. In comparison—

Q. I am not asking for comparisons, but actual figures. Do you still contend that there were no Republican ballots cast?—A. Well—

Q. Well, do you mean, then, that there were 30, or what do you mean?—A. Well, I mean there was none in comparison with the majority of the Democratic votes.

Q. Now, will you kindly drop the comparison, comparative, superlative, or otherwise, from your memory, and confine yourself to the statement of facts—what you actually know, and not by comparison, but what you actually know as a fact?—A. I will answer you, then, that I don't know positively how many there was, only by comparison, at the best.

Q. Confine your answers to what I ask you.—A. You put your question so I will know exactly what you mean.

Q. I am trying to do that. Do you know how many Republican ballots were cast in your precinct, definitely?—A. No.

Q. Were there any?—A. Yes.

Q. Were there more than 2?—A. Yes.

Q. Do you know whether or not the two men whom you claim you saw take their names from their pockets voted a Republican ballot or not?—A. No.

Mr. WALSH. You could have got at all that now if you had answered before.

A. Well, you wanted it just your way.

Q. Is that the way your wrangles occurred?—A. No, no.

Q. Are you familiar with the election laws of the State of Missouri in connection with the rights of individuals to vote whose names appear on the registration books?—A. Well, I never studied the laws.

Q. Did you ever look at them at all?—A. I read them over; yes, sir.

Q. Did you ever enter any protest at the office of the election commissioners or anywhere else in connection with the persons whom you claim voted illegally?—A. After the election?

Q. The day of the election.—A. To the election commissioners?

Q. Yes, sir.—A. No, sir; I did not see them.

Q. Did you endeavor to communicate with anyone else for the purpose of stopping what you believed was illegal voting?—A. After the election?

Q. On the day of the election.—A. Why, I protested to the people that were acting there as officials all day long. That is all the protest I could make.

Q. At the time that the large crowd was in the room where the voting was being carried on, did you call on anyone to exclude that crowd from the room during the count of the ballots?—A. Yes, sir.

Q. Who did you call on?—A. Well, after the—

Q. Polls closed?—A. Not right after the polls closed. They were in there when I went over to the house, and when I got back there there was a whole crowd of them in there, and they stayed there until those books were signed, and after that I protested. I said, "What are all these people doing in here; are they all going to stay?" And then the officer said: "Get out, get out!"

Q. This crowd came in during your absence, after you had refused to sign the returns, did they?—A. No, sir; there was no refusal made to sign the returns, because as soon as the polls were closed I says, "I want to step out and urinate," and when I got back they were all in there, and the fellows followed me over to the house.

Q. Your stepping out to urinate was at the time you went over to see your wife?—A. I went over to the house; yes, sir.

Q. Is your wife a member of the election board?—A. Well—

Q. You went to her to get information as to what you should do?—A. I won't answer that question.

Q. You went to your wife to get information as to whether you should sign the returns or not?—A. Well, I thought I would go over and talk the matter over with her.

Q. You made no effort to communicate with the office of election commissioners as to your rights in a case of that kind?—A. No, sir.

Q. Who were those people that you knew inside of the polling place?—A. Oh, there was Rosenthal—well, you don't mean—

Q. I mean those who had no right to be in there.—A. There was Harry Scales and the officers; I have forgotten all of them. There was two officers and one detective.

Q. Those were police officers, were they not?—A. Yes, sir; and then there was—well, Harry Scales is about the only name I can remember; and then there was that saloon man; I don't know what that fellow's name is now; the saloon man on Eleventh street that keeps the Log Cabin. He was in there, too. I don't know what his name is, though.

Q. Who else?—A. I think that Kinney was in there, too; the one that is constable, Mike Kinney. I think that he was in there.

Q. You think he was. Do you know?—A. No; I am not positive, but I think he was in there. He was in there during the evening. I don't know whether he was in there just when I got back, but I know he was in there during the evening.

Q. He was one of the candidates for constable in that district?—A. Yes, sir.

Q. And his call there was to inquire as to how the election was progressing?—A. No; he never asked nothing; not of me.

Q. Just dropped in there casually?—A. Yes, sir.

Q. How long have you been acquainted with the matters in connection with the Congressional fight in the Republican party in the Twelfth district?—A. Well, I was connected with it the last time.

Q. You were connected with it the last time?—A. Yes, sir.

Q. Which faction were you a member of?—A. The same faction as to-day.

Q. And which faction is that?—A. Republican.

Q. Don't you know that there was two factions in the Republican party in connection with the Congressional nomination?—A. Well, I believe there was.

Q. Isn't it a fact that there were three separate Republican factions in the Twelfth Congressional district dominated by what are known as the St. Louis Republican Club, the Merchants' League Club, and the Good Government Club?—A. Well, I have heard of all three of the—I have heard of them. I have heard of all three of them.

Q. You know there is a great deal of wrangling and discord among those various

factions, don't you?—A. I don't know anything about them, because I don't belong to either of them.

Q. Are you a member of any club?—A. Nary one; I am a man for myself.

Q. Have you been approached by any Republican asking you to scratch the Republican candidate for Congress and not vote for him?—A. Not one.

Q. Do you know any of the members of the Congressional committee of the Twelfth district?—A. I do not.

Q. Do you know E. H. Loffhagen?—A. Yes, sir; I know him.

Q. What position, if any, was he a candidate for at the last election?—A. I can't tell you; I don't remember now. He was a candidate for something.

Q. For Congress?—A. I believe he was.

Q. And which term was he a candidate for Congress for?—A. I think it was the short term, wasn't it?

Q. Do you know Mr. George C. R. Wagoner?—A. No; I don't know him.

Q. Have you heard of him?—A. I have heard of him.

Q. Do you know whether or not he was a candidate for Congress at this last Congressional election?—A. I couldn't say exactly. I believe he was though, as much as I know.

Q. Do you know whether or not you voted for Geo. C. R. Wagoner for Congress?—A. Well, I can't say positively.

Q. Did you vote for E. H. Loffhagen for Congress?—A. I don't know that I have to tell who I voted for.

Q. Well, answer that question for me?—A. No, I won't. I don't have to tell who I voted for.

Q. It is barely possible that you did vote for Loffhagen, isn't it?—A. Well, I won't answer any question pertaining to how I voted.

Q. Do you know Mr. George D. Reynolds?—A. I believe I saw him once, but if I should see him again I don't know whether I would know him or not.

Q. Do you know whether or not he was a candidate for any office at the election held November 4, 1902?—A. Well, I am not keeping tab of all the candidates.

Q. I am just asking to get information?—A. I don't see what point you want to make by that.

Q. I want to know what you know?—A. Well, I don't know anything.

Q. Well, that is a fair answer. Do you know J. G. Gerwinner?—A. I tell you I don't know any of them candidates.

Q. Do you know whether Mr. Gerwinner was a candidate at the last election?—A. I guess he was.

Q. Do you know Charles J. Decker?—A. No, I don't know him neither.

Q. Do you know J. P. Methudy?—A. No, I don't know him.

Q. Do you know August Gesler?—A. I don't know him either.

Q. Do you know Casper Karleman?—A. Yes, I know him.

Q. Was he a candidate at the last election for any office?—A. I don't know whether he was or not.

Q. Do you know whether or not he occupies any official position in the Twelfth Congressional committee?—A. I don't know.

Q. Do you know any members of the Republican Twelfth Congressional committee?—A. I do not. I don't think that I do personally. I may have saw them, but I don't know.

Q. Which side of the factional side did you take up, Mr. Loffhagen's or the opponents of Loffhagen?—A. I didn't take up no side; I am not in any tight.

Q. Did you vote at the primaries that were held?—A. I don't believe I did.

Q. Don't think you did?—A. No, sir. I did go down, but I couldn't find it, and I went back home again.

Q. Couldn't find where the polling place was?—A. No, sir.

Q. Did you receive or did you know of any call that was issued by the Republican party for the purpose of calling a convention of delegates to nominate candidates for Congress in the Twelfth Congressional district prior to November 4, 1902, for the election?—A. I don't think I was at any of their meetings. If there was such a call I don't remember of it.

Q. You didn't hear of it?—A. No; I wasn't at the meeting, anyhow.

Q. Do you know whether or not there was a meeting at the Merchants' League Club for the purpose of nominating Congressional candidates in the Twelfth Congressional district?—A. No; I don't know. I don't attend their meetings at all.

Q. You don't know anything about any of the nominations for Congress in the district?—A. No; I don't know anything about their meetings.

Q. Did you attend a meeting of the judges and clerks prior to the 4th of November, on Sunday, just prior to the 4th of November, 1902?—A. I believe there was

a meeting, but I did not attend it, because I had to attend my cigar store, and I couldn't get off.

Q. Did you attend any meeting where the clerks and judges received instructions?—A. I did not.

By Mr. RICHEY:

Q. In answer to Mr. Walsh's cross-examination you said that the proportion of men without families was rather large in your precinct. Do you think that would account for 53 names being registered from 803 North Tenth street, all in one house?

Mr. WALSH. We will object to that question for the reason that it does not grow out of any question that was asked during the cross-examination.

A. You say that the number of votes were large in that precinct because there was 53 registered in one house?

Q. No; I asked, Do you think that the fact that there were many single men in that precinct would account for the large number—to wit, 53—being registered from one house.

Mr. WALSH. Mr. Notary, I now desire to call your attention to a gentleman who sits on your right. He is unknown to me. I observe him shaking his head at this witness. Whether the witness realizes the fact or not I do not know, but I will ask that this man be excluded from the room.

A VOICE. You are mistaken. I am not doing anything of the kind. That man hasn't looked at me since he has been testifying.

The NOTARY. I don't know this gentleman.

The WITNESS. I don't know him either.

The NOTARY. Proceed with the examination.

(Last question read to witness.)

A. Yes, sir.

Q. You think it would account for that?—A. That there was so many voters?

Q. Do you think that there was 53 honest voters registered from 803 North Tenth street?—A. No.

(Objected to as not growing out of the cross-examination.)

Q. Would it account for 29 voters being registered from the single number 817 North Ninth street?

(Same objection.)

Q. In other words, do you think there were 29 honest voters registered from 817 North Ninth street in one house?—A. No, sir.

Q. Or that there were 31 honest voters registered from the single house 714 North High street?

(Same objection.)

A. I don't know where that house is exactly.

Q. Do you know where the house 708 North High street is?—A. I know about those others.

Q. Do you think there was 31 honest voters registered from that single house?

(Same objection.)

A. No; I don't think so.

Q. You were asked by Mr. Walsh as to whom you made complaints about these improper votes, and you said to the election officials there. Didn't you make the complaint also to the police officers?—A. Well, they were all in the room there.

Q. Who were in the room?—A. The officers and judges and clerks, all of them.

Q. And notwithstanding the complaints that you made there you never have been called into court or before the grand jury with reference to what occurred?—A. No, sir; not after the election.

Q. In answer to Mr. Walsh you said there was a detective there. What was the detective's name?—A. Well, I don't know that I want to state that.

Q. Why?—A. Well, I can't say.

Q. Are you afraid that it will get you into trouble?—A. No; I won't say that.

Q. How long was the detective there?—A. Well, he was there all day.

Q. Was he back with the judges and clerks after the closing of the polls, where the votes were being counted?—A. The detective?

Q. Yes, sir.—A. After we signed he went away.

Q. Was he in there until you signed?—A. Yes, sir.

Q. Did he make any statement to the judges and clerks or any of them about signing the poll books?—A. No; he didn't say nothing.

By Mr. WALSH:

Q. This detective that has been referred to, was he in the employ of the city police department or was he a private detective?—A. He was a city detective.

Q. Do you know that to be a fact?—A. Yes, sir.

Q. Why is it that you don't want to tell who it was?—A. Well, I don't want to state why.

Q. Is he a personal friend of yours?—A. No; he isn't no friend of mine particularly.

Q. Is there any fear in your mind that the stating of this man's name would in any way cause you trouble?—A. Well, I don't know as it would, but I don't know as it is necessary to state his name.

Mr. BUTLER (the contestee). We don't know his name. I want you to state it now. What is his name? Answer that question.—A. Well, now, I don't see as I have to answer that question.

Mr. BUTLER. I insist that he shall answer.

Mr. WALSH. We call on the notary to instruct the witness as to what he is to do.

The WITNESS. Mr. Notary. I don't want to answer this question. I don't want to get mixed up in these affairs. What benefit is it if I state the name? It is only getting me mixed up in it and getting the officers down on me. I am in business there, and if I make these statements and they find it out they will pick on me; they will pick on me every week, and I am in business, and I can't afford it. If it is to help the cause, I will state it, but if not, why should I state it?

Mr. WALSH. We insist on that name being stated. There has been attempts throughout this case so far by the contestant to show that the police department are terrorizing these witnesses, and it is proper for us to bring out that statement, because we are not parties to any effort to terrorize or cause this witness to fear any trouble.

The NOTARY. I don't think I will require him to answer the question, so far as the name of the police detective is concerned.

Mr. BUTLER. We insist at this moment on you giving us the name of that detective, and if you do not answer I shall be compelled to go to the United States court this afternoon and compel you to answer whether you want to answer or not.

Mr. RICHEY. I object to the gentleman making threats to the witness.

Mr. BUTLER. It is not a threat. We have a right to know.

Mr. RICHEY. And we object to his attempting to influence or bulldoze the witness.

Mr. BUTLER. I am not trying to influence the witness. I simply want him to state a fact which he refuses to state and which is within his power. I want the name of this detective whom he says he knows. This detective will be a very material witness to us in the case, and we are entitled to know his name.

Mr. RICHEY. I will ask the witness whether you are afraid to impart this information.

The WITNESS. Well, I don't like to antagonize these officials of the city. I tell you I am in a public business there, and I need the trade of everybody, and don't want to antagonize anybody. This is no benefit to me. This whole thing is no benefit to me. It is a condemnable act to me all through.

Mr. WALSH. What is condemnable?

The WITNESS. I have been in these cases before. I was before Judge Fauntleroy, and I was before Judge Fisse, and now here I am again, and what benefit is it to me?

Mr. RICHEY. That was in the Horton-Butler case?—A. Yes; and the next time I was before Fauntleroy, and now I am here, and it is my business season, and here you have dragged me here.

Mr. BUTLER. We haven't dragged you here at all. I simply want you to answer this question. Will you answer it or not?—A. I will not answer until I am compelled to answer.

Mr. WALSH. Who was that that said "That is right," Mr. Notary? I want to make an objection to this.

The NOTARY. I did not hear any such remark.

Mr. WALSH. I did hear it.

Mr. RICHEY. I didn't hear it.

The WITNESS. I don't want to refuse to give this name from pure contrariness. I am sincere in this matter, and I don't want to antagonize anybody any more than is necessary. I want to be on good terms with everybody.

The NOTARY. The reason why I would not require the witness to give the name if he objects to doing so is for the simple reason that the police department have a list of the men who were there, and you can get it from that list if you desire. I want to be fair, and I don't want to require the witness to answer a question that would be against his interest personally.

Mr. BUTLER. We want to note the fact that the contestant's attorney was the one that stated at the earliest stage of these proceedings that he did not recognize the right of the notary to rule on any objection in this case.

The NOTARY. Well, that is one reason why I do not care to rule.

Mr. RICHEY. I would like the gentleman to waive his objections under all the circumstances, and give the name of this party, in order that the perfect fairness of the thing may be apparent on the record.

The WITNESS. It may be fair to you, but it wouldn't be fair to me.

Mr. WALSH. We ask that this witness be excused until we get authority to compel him to answer the question, and until that time we will discontinue our examination.

The WITNESS. There are other witnesses coming up, and you can find out from them if you want to know; maybe they know the officers better than I do. Let them tell it.

Mr. WALSH. You are excused, Mr. Kanning, so far as we are concerned.

J. H. DINKELMANN, of lawful age, being produced, sworn, and examined, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. Your name is J. H. Dinkelman?—A. Yes, sir.

Q. You live at 1000 Franklin avenue, in the city of St. Louis?—A. Yes, sir.

Mr. WALSH. We object to the introduction of this witness at this time, for the reason that neither the contestee nor any of his attorneys nor anyone representing contestee has been furnished with a notice of the intention to take the deposition of this witness before this notary or before any other notary here or anywhere else.

Q. That is in the fifth precinct of the Fourth Ward in the city of St. Louis?—A. Yes, sir.

Q. And you were one of the judges of election at that precinct on November 4 last?—A. Yes, sir.

Q. What do you know about the registration in that precinct?—A. In what way?

Q. In any way; whether it was an honest registration or whether it was a padded registration?—A. Well, being the first time I served as a judge, I am not in a position to answer that.

Q. Do you know about the total number of voters registered in that precinct?—A. From the books that there was, I think 720 odd was the total number.

Q. Do you know whether or not the registration was revised in that precinct?—A. It was.

Q. Do you know about where the books and papers and lists relating to the registration revision were taken, and by whom, on the night of the revision?—A. I don't know by whom or anything more than what the Democratic judge had told us when we came. He said they had been taken by the other judge and clerk.

Q. What other judge and clerk?—A. The Democratic judge, by the name of Hughes, and Mr. Madden.

Q. Madden was the Democratic clerk?—A. Yes, sir; and Rosenthal was a Democratic judge also. They were left in his place, and they came there and took them away. That is all I know.

Q. So that all the books and papers relating to the registration on the night of the registration were taken away by all the Democratic judges and clerks, so the Democratic judges told you?—A. So I was told by the Democratic judge; yes, sir.

Q. And none of those books were left as a check in the hands of the Republican officials there?—A. No, sir.

Q. Now, on the election day was there any trouble at the polls as to voting? Any protests made?—A. The protest was entered by Mr. Kanning, my associate judge, in regard to one man. I did not see him, for the reason that my back was turned to those people while I was in the voting place, and he had the view of all the voters in front of him, and he objected to that one particular man voting, as he had voted before, and he called the officer's attention to it and told him he would either have to go out or he would not allow him to vote, and he appealed to all of us, and finally the officer said, "Just let him vote, as long as we have agreed to vote the names that are on these books," which we did enter into an agreement in advance when we opened up business.

Q. Between whom was that agreement made?—A. Between us judges—Democratic judges and clerks.

Q. Why did you make that agreement?—A. It was to avoid any trouble with one another and make things run smooth without any friction. We were to bar the Democratic and Republican challengers on either side from the room, and accept those voters who came with the names on the books and allow them to vote and cast their votes as regular, proper, and legal voters, which we did.

Q. And when Kanning complained of this man who had voted before what did the policeman say?—A. Well, he simply told him that man ought to vote as long as his name was on the books.

Q. Why did you enter into this agreement?—A. Well, we were told by the Democratic judge, Mr. Rosenthal, in advance, that the best way—that he was informed that the best way to avoid any trouble and to let things run along smooth would be to do this.

Q. What kind of trouble, Mr. Dinkelmann?—A. Well, it wasn't specified, but it was as much for his sake as for ours. We were to go along without having any trouble.

Q. What did you understand that trouble would be if you did not allow things to go in that way which was suggested to you?—A. Well, I suppose it would mean physical harm, or something of that kind.

Q. Was it for fear of that that you made the agreement?—A. That is what we all entered into it for. We were all in the same boat.

Q. Did you know of any repeating being done that day, of your own knowledge?—A. I couldn't see the voters; my back was turned to them.

Q. What was your duty in the election work?—A. I had the copy of the original book, and when the name was announced I was to see if it was on this book and tallied, and when I did find it I would help the other judge along, and when we would find the name we would say, "It's all right," and then the party would be given his ticket.

Q. And it didn't make any difference who came there so far as you were concerned, if he came there and gave a name that was on the list of voters? You received the ballot regardless of whether he was entitled to a vote there or not?

Mr. WALSH. We object to the form of that question, as referring to the list of voters, unless it is intended to convey to the witness that the list of voters is the registration book in which was entered the names of those who were legally entitled to vote.

A. I had no other way of finding out. I had no other way but to accept it. I thought that was my duty.

Q. Did you hear one of the judges ask the police to exclude anybody from the voting place that day?—A. Mr. Kanning did once in the morning.

Q. Whom did he ask to have excluded?—A. He had some man who was trying to vote, who, he said, had been there before and voted.

Q. To whom did he appeal to have the man excluded?—A. To both of the judges, and all of us. He said that was not right; he asked him, "What are you going to do about it?" and finally he appealed to the officer, and the officer said, "Well, is the name on the books?" and they said, "Yes," and he says, "Well, then, let him vote." Now, that is the substance of the whole thing.

Q. How many voting stalls for the accommodation of voters were there at the polls?—A. I think there was three or four.

Q. What direction, if any, was given to the police about allowing voters to come into the polling place?—A. I don't know that they had any, so far as I know.

Q. As a matter of fact, was the number of voters limited to three or four at a time, who were permitted to come in there at one time?—A. They were not; no, sir; they came in there, and the room was crowded pretty much all the time.

Q. How many were in there at a time?—A. I could not say; I had my back to them, and I couldn't tell, but I know they were crowded.

Q. Was any complaint made about the large number that were there?—A. I believe there was some complaints made from Mr. Rosenthal that the room was getting to be suffocatingly hot, and to open the windows, and all such as that.

Q. How many police officers were there?—A. Two, I believe.

Q. Was there any other officials connected with the police department there besides the policemen?—A. Not that I know of. I have no knowledge of it; there may have been, but I don't know.

Q. Did you sign the returns?—A. I did.

Q. When did you sign the returns with reference to the counting of the ballots?—A. We signed them right immediately after closing the polls. We were asked to sign them, and we were told that it was proper for us to sign them right away in advance of counting the votes, and being the first time that I was a judge there, I didn't know what was right, and I appealed to Mr. Kanning, and we both concluded it was best to sign them, and we did.

Q. Before the ballots had been sorted?—A. Yes, sir.

Q. And before they had been counted?—A. Yes, sir.

Q. And before the ballot box had been opened?—A. Yes, sir. The reason for that was somebody came there that was supposed to have authority from the election commissioners' office, and he was appealed to and said it was proper to sign them.

Q. Do you know who that person was?—A. No, sir; I do not. I supposed it was proper, because it came right direct from the election commissioners' office.

Q. Did he show any writing or credentials of his character?—A. No, sir; we were told that, at least I was, and Mr. Kanning was.

Q. By whom were you told that?—A. Why, we was told so by the various parties that was in the room that it was proper for us to sign.

Q. Now, when the polls were closed, what persons were within the polling place?—A. I couldn't enumerate them. There was a number of people there.

Q. In addition to the judges and clerks, who were entitled to be there?—A. There were a number of people there that Mr. Kanning afterwards asked to be removed.

Q. How many were there there?—A. I couldn't say exactly.

Q. About? Approximately?—A. Well, some six or seven, probably.

Q. Did they have anything to say about the judges signing the poll books before the ballots were counted?—A. It was there that that statement was made that it was proper for us to sign them.

Q. They came in and told you what to do?—A. Yes, sir.

Q. What was the motive that induced the judges to sign the poll books before the ballots had been counted?—A. You—the motive?

Q. Yes; why did you do it?—A. I don't know, no more than I thought it was in conformity with the regulations and the rules.

Q. Can you name some of the persons who were in along with the judges and clerks after the closing of the polls?—A. I couldn't designate those that had a right and those that did not have a right to be there, because my knowledge of the election business is so limited that I couldn't particularize who had a right and who did not have a right.

Cross-examination by Mr. WALSH:

Q. About what time, Mr. Dinkelmann, were the books taken away from Mr. Rosenthal's—what time in the evening?—A. Why, he stated it was about supper time or a little thereafter. Mr. Rosenthal stated that they came and demanded the books.

Q. And up to that time they had been in the custody of Mr. Rosenthal?—A. Yes, sir; in the polling place.

Q. So it was a simple change of custody. The polling place had been closed, hadn't it, on registration day?—A. No; it was not. They had to remain open until 9 o'clock.

Q. What time was it that you got back there?—A. We got back there somewhere about half past 7, I think.

Q. That is your best recollection?—A. My best recollection; yes, sir. It was not half past 8, I know, because we had gone to supper.

Q. You just heard from Mr. Rosenthal that they had taken those books?—A. Yes; I am quoting his statement.

Q. Personally you don't know where they were?—A. I have no knowledge at all.

Q. As to any possibility of any physical harm or any physical danger that you were in, that is a mere fancy of yours? You simply got a little bit scared and thought there would be trouble?—A. Well, I accepted this position on personal grounds. I never had entered into politics before and I never expect to again, and I wouldn't have done it then but I was prevailed upon to accept because there was no other one available in the precinct for judge. The gentleman who prevailed upon me to act in that capacity was a justice of the peace here.

Q. Walker?—A. Walker; and from friendship I acted and not from any other motive, or with any office in view, because I have no desire to enter politics or accept office or anything of the kind, and I did this on his statement that it was utterly impossible to get anyone else to act on short notice, and so I took it as a favor, and I did my duty to the best of my knowledge and ability.

Q. Walker was the Republican candidate for justice of the peace in that district?—A. Yes, sir.

Q. Mr. Richey asked you if you looked at the registration list for the names which were presented to you by the individuals who desired to vote. Now, is it not a fact that you consulted the book which you had in your charge, which was a copy of the original registration book?—A. Yes, sir.

Q. So that, as a matter of fact, a list, so-called, was not consulted by you. It was the regular book?—A. The book; yes, sir.

Q. And you made your entries—checked off those who voted—did you not?—A. Yes, sir.

Q. So that no list was used by you in checking off voters?—A. Not at election day.

Q. No; only the book, and that book was provided by the election commissioners?—A. The registration book and duplicate.

Q. How large a room was this polling place?—A. I couldn't give you the exact dimensions of it at all.

Q. What is your business?—A. Real estate.

Q. As a real-estate man you have a pretty fair idea, have you not?—A. I have an idea; I could give it to you, but I couldn't give it to you accurately.

Q. Well, roughly, as a real-estate man and an expert in this kind of thing?—A. I should say the room was a room probably 12 by 20, or possibly a little more.

Q. Well, how much more?—A. Oh, not very much more either way.

Q. Six inches, more or less?—A. Well, a foot or two.

Q. You are endeavoring to be very accurate?—A. Well, I try to be.

Q. So that you think it is about 12 by 20?—A. Twenty or 22; something like that.

Q. Now, what were the contents of that room?—A. Well, the contents was a shelving and a counter.

Q. How much space did they occupy, about?—A. I couldn't very well tell you that.

Q. Did the shelving and counter extend along on one side?—A. Along one side, running east and west; the shelving on one side and the counter was in the room, and that was pushed back.

Q. The counter was pushed back to the wall?—A. To the wall.

Q. An ordinary counter?—A. Ordinary. I should judge about 3 feet in width; something about that.

Q. About 18 or 20 in length?—A. They were separate counters cut off; counters shoved together.

Q. A number of them?—A. Yes, sir; several counters.

Q. How many booths were there?—A. Three polling booths, or four.

Q. And they were all regular polling booths that were used, about 4 or 5 feet square?—A. I don't know what they are in diameter; all regular polling booths.

Q. They are possibly 5 or 6 feet square. Now, there was a table at which the judges and clerks sat, wasn't there, about 7 or 8 feet long and about 3 feet wide?—A. Yes, sir.

Q. And there was a railing?—A. A railing provided; yes, sir.

Q. And there were chairs?—A. Yes, sir; those that we were sitting on.

Q. Now, about how many people would it be possible to get into that room after all of this paraphernalia was in there, to transact business in the regular way?—A. Well, if they all occupied the floor space and the counters, you know.

Q. If they stood up on the counters and shelving, you mean?—A. Yes; they could pack a great many in there.

Q. But I mean in the ordinary way; standing on the floor and transacting the business of voting?—A. Well, I mean jammed in as they were at that time, you could jam in 20 probably.

Q. Do you think there was 20 in there?—A. I had no means of telling, for the reason that my back was always to the voters. I know we were crowded up pretty thoroughly. I know that.

Q. In crowding you up, wasn't that due to the fact of persons passing you to put their ballot in the box?—A. They came up to where we were sitting, and naturally, of course, the crowd was pushing forward, all anxious, I suppose, to vote.

Q. About what time was the big crowd there?—A. The first rush was until about half past 9 and half past 10 in the morning, and then it continued at intervals all through until in the afternoon; it was pretty constant up there from 4 o'clock until closing up time.

Q. Along about 4, 5, and 6, and later; those were the people who usually come to vote about that time, don't they?—A. Well, this was my first experience in that capacity, and I have no knowledge of that.

Q. You are a very good friend of Mr. Robert Walker, aren't you?—A. I class him as a friend.

Q. And you are familiar a great deal with the factional fight that has been going on in the party?—A. I have no knowledge whatever of politics beyond what was in the papers.

Q. You read the papers?—A. I do.

Q. Didn't you read of the fact that the Twelfth Congressional Republican committee was split up, and one faction brought suit against the other or against the board of election commissioners for the purpose of enjoining the State committee of the Republican party from seating a minority of the Republican city central committee?—A. I have no knowledge of it at all in the papers; never read of it.

Q. Never heard of it before?—A. Never heard of it.

Q. Don't you know that Walker was quite a prominent leader in the factional fight, and that at least one of those meetings were held in the office over which he presided as a justice of the peace?—A. That may be so, but I have no knowledge of it in the remotest. I never entered politics and never followed it up in no manner, shape, or form. This is my first experience, you must understand, and it was not from a political standpoint that I took the place, but simply on ordinary grounds as a man; that is all.

Q. Don't you know that on the 4th day of October last there was held at Chatsworth Hall a meeting of the Republican Congressional committee, a convention which was adjourned, and the minority of the committee subsequently returned to the hall and locked out the majority and proceeded to nominate Mr. George D. Reynolds for Congress?—A. I have no knowledge of that, for the reason, as I stated before, I am not interested nor identified with politics. In fact, my reading matter doesn't run in that direction. I always cut out that part of it in my reading, and I have no knowledge of it, absolutely.

Q. Do you know Mr. E. H. Lofthagen?—A. I do know of such a man.

Q. Do you know Mr. J. G. Gerwinner?—A. Don't know him.

Q. Do you know Mr. Charles J. Decker?—I don't know him.

Q. Do you know J. T. Methindy?—A. I don't know him.

Q. Your connection with politics in this particular election was purely that of a personal friend of Robert Walker?—A. That's right. Now you've got it.

Q. And in that capacity you did everything that you could to assist the Republican party?—A. Yes, sir; that is all.

Q. What are you? Are you a Republican or a Democrat politically?—A. Well, I am a Republican from spirit.

Q. From spirit?—A. Yes, sir.

Q. And in fact?—A. In fact, too.

Q. What papers do you receive your political inspiration from?—A. Well, the Globe-Democrat.

Q. Do you read any other Republican papers?—A. Oh, I do, I guess, when I get a chance. I read Democratic papers, too.

Q. What other Republican papers do you read?—A. Oh, I subscribe for the Globe-Democrat, and naturally I can't afford to have more than one paper. I would like to have two.

Q. Did you ever read the paper known as the St. Louis Star?—A. I have at times read it.

Q. You are not a regular peruser of that publication?—A. Not a subscriber; no, sir.

R. J. RAYMOND, of lawful age, being produced, sworn, and examined, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Your name is R. J. Raymond?—A. Yes, sir.

Q. You live at 1108 Morgan street?—A. Yes, sir.

Q. In the fifth precinct of the Fourth Ward?—A. Yes, sir.

Q. What is your age?—A. Thirty-nine, sir.

Q. What is your business?—A. Lawyer.

Q. How long have you lived in the city of St. Louis?—A. Twenty-one years.

Q. How long in that ward and vicinity?—A. Well, off and on, about sixteen years.

Q. Are you acquainted in that vicinity?—A. A little; yes.

Q. You were the Republican clerk at the last election in that precinct?—A. Yes, sir; I was.

Q. Did you take part in the revision of registration in that ward?—A. I did, sir.

Mr. WALSH. We object to the introduction of this witness and the taking of his deposition, for the reason that neither the contestee nor any of his attorneys nor anyone for him have received a notice of the intention to present this witness here before this notary or before any other notary at this place or any other place.

Q. Who assisted you on behalf of the Democratic party?—A. A young man named James Madden.

Q. He was the Democratic clerk?—A. He was.

Q. Do you remember the night when the registration closed in that precinct?—A. Yes, sir.

Q. What became of the books and papers relating to that registration?—A. I was informed that they were taken away by the Democratic clerk and judge. I had gone to supper.

Mr. WALSH. While some of these lay witnesses are not familiar with the rules of evidence, as a lawyer we will ask you to confine your statements to what you know of your own original knowledge.

The WITNESS. Well, I know nothing of that.

By Mr. RICHEY:

Q. Where was the place of revision?—A. 817 North Tenth street.

Q. What time was registration to close?—A. Nine o'clock that night.

Q. You say you went home to supper?—A. Yes, sir.

Q. When did you return?—A. About a quarter to 8.

Q. Where were those books relating to registration when you went home to supper?

Mr. WALSH. We object to Mr. Raymond answering this question unless he knows of his own personal knowledge.

The WITNESS. Oh, I know where I left them.

Mr. RICHEY. That is what I want. You know that of your own personal knowledge, don't you?

The WITNESS. Yes, sir.

Q. All right. Go ahead and tell it.—A. I left them with Mr. Rosenthal.

Q. Who is he?—A. He is the Democratic judge in that precinct.

Q. Now, when you came back, where were they?—A. I don't know, sir.

Q. Well, were they there?—A. No, sir.

Q. Well, what had become of them?—A. I don't know that.

Q. You know whether they had been taken away or not, don't you?—A. Well, I imagine they must have been.

Q. Well, is it imagination or a matter of fact?—A. No; I don't know what became of them, except what I was told.

Q. By the Democratic judge?—A. Yes, sir.

Q. And what did he tell you?—A. That they had been taken away by the Democratic judge and clerk.

Q. Were they returned again for your use in the work of revision?—A. Yes, sir.

Q. That night?—A. No, sir.

Q. Now, on election day were you one of the clerks of election at that precinct?—A. I was.

Q. Do you know the total number of registered voters in that precinct?—A. There was 767, or something of that kind, or thereabouts.

Q. Were you familiar with the registration in the precinct at prior elections?—A. Yes, sir.

Q. Was the registration for 1902 election larger or smaller than for the general election preceding?

(Objected to for the reason that the question calls for the recollection of the witness as to a material fact of which the public records are the best evidence.)

A. Oh, it was larger in 1902, it was larger than the election preceding.

Q. Approximately, how much larger as near as you can tell?—A. I can't exactly state. Probably 100 votes; I don't know but it might be more, I am not certain as to that.

Q. When the voters appeared on election day who received the ballots proffered by them?—A. Mr. Rosenthal.

Q. The Democratic judge?—A. Yes, sir.

Q. Who investigated the books to determine the right of the voters to vote?—A. Mr. Dinkelman, he was the Republican judge, and Mr. Hughes for the Democrats.

Q. Mr. Peter Hughes?—A. Yes, sir.

Q. Mr. Peter Hughes had formerly been one of the clerks in that precinct, had he not?—A. Yes, sir.

Q. Do you know of any repeating having been done at that place on that day?—A. Well, it was charged that there was. I couldn't determine whether there was any repeating or not. Mr. Kanning said there was, and charged one or two with having repeated.

Q. Was that charge made in your presence?—A. Yes, sir.

Q. To whom?—A. To the judges and clerks present and the officer.

Q. What officer was present?—A. I just don't recollect his name.

Q. What did Mr. Kanning say when he protested?—A. He said, "You get out of here; you voted before."

Q. What did the man say?—A. He said, "I have not; I have just come in," and he said, "No, you have not; you have voted here two or three times already, once before, at least, and you get out of here," and he called Mr. Rosenthal's attention, and other judges present to the fact that he had voted, and the attention of the officers also, but the officers didn't know whether he had or not.

Q. What demand, if any, did Kanning make to the officers?—A. That he should take him out of the room, or place him under arrest, I forget which.

Q. What did the officer say?—A. He said that the man said his name was on the books, and he didn't know whether he ought to vote or not.

Q. Did the officer arrest him or put him out of the polling place?—A. No, sir.

Q. Was there more than one complaint of repeating?—A. Yes, sir; I heard one more.

Q. Who made that protest?—A. Mr. Kanning, and I made a protest, too, and he was claiming that some one was attempting to vote on the name of some one else.

Q. Was that attempt successful?—A. No, sir.

Q. You state that the officer said that this man's name appeared on the list and he should be allowed to vote? Was there any agreement made there as to receiving votes? I mean the agreement between the judges.—A. Well, I think there was an agreement to the effect that when parties presented themselves to vote, if their names appeared on the lists, why, they should be permitted to vote unless they were known not to reside at that number, by somebody present.

Q. When was that agreement made?—A. The first thing in the morning, at the opening of the polls.

Q. Do you know why it was made?—A. No, sir.

Q. Were you a party to it?—A. Well, I don't know; I might have been.

(Objected to, as the witness was a clerk, and could not possibly be a party to anything in connection with the conduct of the election.)

A. Well, I might have been a party, in that I tacitly consented to it.

Q. Why did you tacitly consent to it? Do you know what the motive was that enabled that agreement to be made?—A. I do not, sir; except, perhaps, to prevent friction and expedite the voting, something of that kind. I don't know what.

Q. Prevent friction between whom?—A. The judges and clerks of the opposing party.

Q. Do you know whether or not that agreement was made because of fear or as a result of intimidation?—A. I don't know about that, sir.

Q. Did you sign the returns from that precinct?—A. Yes, sir.

Q. Did you sign the poll books?—A. Yes, sir.

Q. When did you sign the poll books—before or after the ballot box was opened?—A. I think it was before they were opened.

Q. Before they were opened?—A. That is my recollection.

Q. Were you present when the polls closed?—A. Yes, sir.

Q. Were outsiders excluded from the place where the ballot box was opened and the ballots counted?—A. Well, I think so, sir; with the exception of an officer, I think they were excluded.

Q. Who was present at the time the poll books were signed besides the judges and clerks, if anyone?—A. I can't recall just who it was. There were some, though, perhaps three or four, but who they were I don't now recall, but I remember they were persons known to us at that time.

Q. Did they direct or advise the signing of the poll books before the counting of the ballots?—A. Well, in this way, yes, sir; that it wouldn't make any difference whether they were signed before or after.

Q. What interest did they have, or appear to have, in the way in which the judges and clerks at that precinct performed their duties?—A. Well, I don't know. I don't know how to answer that.

Q. Did they bring any pressure upon any of the judges or clerks so far as you could see?—A. None that I could see; no.

Q. You knew that they were not authorized to be there, didn't you? You knew they had no right there, didn't you?—A. Yes, sir.

Q. Well, how did they come to be there, and what was the purpose of their being there?—A. I don't know that, sir. In all matters governing the right of persons to be present, or the excluding of persons, I would defer to the judges, and whatever their decision was, of course I assented.

Q. Who decided that those people might be there?—A. Well, the four judges seemed to concur in it, and I did not dissent from it.

Q. Are you well acquainted in that neighborhood?—A. Oh, yes.

Q. Are you acquainted with North Tenth street?—A. Yes, sir.

Q. Do you know the premises No. 803 North Tenth street?—A. Yes, sir.

Q. What kind of a house is that?—A. It is a rooming house of some kind.

Q. How large is it—how many stories?—A. I think it has two or three stories, and on the second story I think I counted, if I remember rightly, eight or ten rooms; something of that kind; there might be more.

Q. What is there on the first floor?—A. On the first floor, I don't know what is there; nothing that I recall.

Q. Did you revise the registration from that number?—A. Yes.

Q. Did you find 53 registered voters there in those ten or eleven rooms?—A. No; I didn't find voters at any designated number. I would go to a house and ask the party in charge, the landlady or whoever was in charge, if A, B, C, and D lived there, calling them by name, or if So-and-so lived there.

Q. Did you call for 53 names for this number, 803 North Tenth street?—A. I don't recall that I did, sir. I don't know that I did call that many. I don't recall just what the exact number was.

Q. From your knowledge of the premises there would you say that there could be

53 honest voters properly registered from that one small house? Isn't that, on the face of it, an absurdity?

Mr. WALSH. We will object to that question on the ground that it calls for the conclusion of the witness, the witness having stated that he followed the legal method for discovering how many residents there were at the particular number called for.

A. Well, I don't know as to that. Of course I might say that I would regard that as quite an unusual number.

Q. Is that all that you can say about it?—A. The house is not small.

Q. Well, with eleven rooms there would be an average of more than five persons to each room?—A. I don't know whether there was anybody on the third floor or not.

Q. Do you know there was a third floor?—A. I don't recall that; I know I went upstairs and asked the lady.

Q. Do you know the premises No. 717 North High street?—A. 717? Yes, sir.

Q. What business is carried on at that number?—A. No. 717; there is a saloon beneath.

Q. Do you know who runs it?—A. John Fitzpatrick.

Q. How many stories?—A. That is a two-story building.

Q. Does Fitzpatrick live there himself?—A. I don't now recall whether he lives above or lives at 1205 Linden.

Q. How many rooms are there on the second floor at 717?—A. I don't know, sir; I should say about three or four rooms.

Q. Did you ascertain that there were 33 voters living at that number and in that house and entitled to vote from there?—A. No, sir.

Q. How many did you ascertain were entitled to vote from that number?—A. I don't recall the exact number. Possibly a half a dozen; I don't recall now.

Q. Can you tell how it was that the 27 names of people who were not entitled to vote at that number got onto the registration list from that premises?

Mr. WALSH. We object to a question that asks for a conclusion of the witness as to how somebody else did something.

A. I don't know, sir.

Q. Well, were there 33 voters living in those few rooms at 717 North High street on November 4 last?—A. I don't know, sir; I don't think so.

Q. You think that 6 was the highest number that lived there and were entitled to vote?—A. I think 5 or 6 I have seen there.

Q. Do you know the premises 710 North High street; across the street, almost?—A. Yes, sir.

Q. What are those premises? What business is carried on there?—A. Rooming house or resident house; I don't know; something on that order.

Q. Any business on the first floor?—A. None that I know.

Q. How many stories?—A. Two.

Q. Do you know how many rooms on the second floor?—A. I do not, sir.

Q. Is the house a large one or small one?—A. Well, I should say it would be an ordinary six or seven room house, something of that kind.

Q. Were there 24 voters entitled to vote living at that number on the 4th of November last?—A. I don't know, sir.

Q. How far from 710 North High street do you live?—A. Well, around the corner.

Q. Are you well acquainted in that neighborhood?—A. Yes, sir.

Q. How long have you lived around the corner there?—A. Oh, about sixteen years, off and on.

Q. Do you know Frank Campbell?—A. No, sir.

Q. Do you know Charles Gray?—A. I may know Charles Gray. I can't recall. I know Monroe Gray, of that same number, 724.

Q. These are all 710?—A. No; I don't remember.

Q. Do you know John Collins?—A. Yes; I know John Collins.

Q. Does he live there?—A. I don't know, sir.

Q. Do you know Fred Mark?—A. No, sir.

Q. Do you know Henry Crane?—A. No, sir.

Q. Do you know Frank Cron?—A. No, sir.

Q. Do you know Frank Craw?—A. No, sir.

Q. Do you know W. Ferris?—A. No, sir.

Q. Do you know Timothy Fay?—A. No, sir.

Q. Do you know Henry Funke?—A. No, sir.

Q. Do you know James Falter?—A. No, sir.

Q. Do you know Michael Finan?—A. No, sir.

Q. Do you know Martin Fletcher?—A. No, sir.

Q. Do you know Thomas Martin?—A. No, sir.

Q. Do you know Peter Osgood?—A. No, sir.

Q. Do you know Thomas Golden?—A. No, sir.

Q. Do you know Patrick Rooney?—A. No, sir.

Q. Do you know John Rosch?—A. No, sir.

Q. Do you know Thomas Leahy?—A. No, sir.

Q. Do you know Michael Runyan?—A. No, sir.

Q. Do you know George Rausch?—A. No, sir.

Q. Do you know Frank Roberts?—A. No, sir.

Q. Do you know D. J. Boyle?—A. No, sir.

Q. Do you know Frank Jordan?—A. No, sir.

Q. Then the only one of the 24 men registered at 710 North High street, which is just around the corner from where you have lived for sixteen years, the only one that you know is John Collins. Is that right?—A. Yes, I know John Collins. If you will permit me, however, to make a statement—

Q. Yes, sir.—A. I do this in justice to those parties, whether they live there or not. I leave in the morning and I don't get back in that neighborhood until night, and I don't mingle with the folks around there at all, so I would not be likely to know them anyway.

Q. Well, you have lived right in that neighborhood and just around the corner during all these years?—A. Yes, sir.

Q. And out of the 24 you don't know but one?—A. No, sir.

Q. How far do you live from 714 North High street?—A. About a block. Is that North High or North Twelfth?

Q. North High.—A. Oh, well, I live over a block; nearly two blocks.

Q. How far do you live from 708 North High street?—A. Some distance. I live on Morgan between Eleventh and Twelfth.

Q. Do you know the premises 708 North High?—A. Yes, sir.

Q. What sort of a building is that?—A. It is a kind of a hotel, I think.

Q. How many stories?—A. It has two stories.

Q. What is on the first story—what business?—A. A little lunch place, something of that kind now.

Q. How many rooms, about?—A. I have no idea.

Q. How many feet front has the building, about?—A. About 12 or 14.

Q. How deep is it, about?—A. I don't know that.

Q. Well, about?—A. Perhaps 40 feet; I don't know. There is a gangway on Twelfth street or Linden street. That is the only way I have of judging.

Q. How many stories are there?—A. Two.

Q. And the lower story is used as a restaurant?—A. I think so, sir.

Q. And the second is a sort of hotel?—A. Yes, sir.

Q. How many rooms, about, on the second floor?—A. I don't know, sir; I never was up there.

Q. Enough rooms to make the homes for 31 voters who are registered from that number?—A. Well, I don't know about that, sir.

Q. It would crowd the rooms a little, wouldn't it?—A. I imagine so; I never was up there.

Q. How far do you live from 915 Morgan street?—A. About two blocks and a half.

Q. Do you know who keeps the premises there?—A. I do; yes, sir.

Q. Who is it?—A. Mrs. Brady.

Q. How many stories to the house?—A. Two.

Q. How many feet front is the house?

Mr. WALSH. Do you mean two stories above the basement or two stories above the second floor? Is that a three-story building?—A. It is my impression that it is a two-story building. It is my impression that all along in that whole row the houses are all two stories.

Q. How many feet front, about?—A. I don't know. The house is on a 25-foot lot, and a gangway of about 15 feet, I should say, as a mere guess.

Q. Fifteen feet of a gangway?—A. No; I mean the house is possibly 15 to 18 feet front.

Q. What depth?—A. I don't know, sir.

Q. What kind of business is carried on on the first floor?—A. I don't know, sir. It is a residence house. She keeps a rooming house, I believe.

Q. Have you any idea as to the number of rooms?—A. I have not. I never was inside except at the front door.

Q. Is it a large house or a small house?—A. Well, it is an ordinary two-story house; brick house.

Q. Constructed for use as a dwelling, originally?—A. Yes, sir.

Q. Do you know whether there were 23 voters who really lived at those premises on the 4th of November last?—A. I don't know, sir. I can't tell.

Q. What is your judgment as to that, Mr. Raymond?—A. Well, I don't know. I simply went there and said, "Does John Smith, Tom Collins, or A, B, C, and D live here?" "Does so and so live here?" And they would say "Yes."

Q. When you went there and asked those names in each case did they say the persons that you asked about lived there?—A. Yes, sir.

Q. That happened in nearly all those places?—A. Nearly all those places.

Q. You mean to say that that was the answer given you when you propounded 53 names from 803 North Tenth street?—A. I don't recall that I called so many names there. That was the answer given in all such cases.

Q. That was the answer at 817 North Ninth street in regard to the 29 names registered in that premises?—A. Yes, sir; in most cases; yes, sir.

Q. You didn't look around to see whether it would be possible for that number of people to actually be living there?—A. Yes, sir; I would in many cases; but you may take these three rooms connecting here, if you will permit me to illustrate. If they were subdivided into smaller premises and I called at the house and asked you if A, B, C, and D lived here, aggregating possibly 30 names, and you said yes, I couldn't say that I don't know that they are living here.

Q. Suppose there was only five or possibly four rooms, and you were told that 53 persons lived in them, wouldn't you know, in the nature of things, that that was not the truth?

Mr. WALSH. We object to the suspicions by Mr. Richey in this particular question as being absolutely ridiculous. Four rooms for 53 persons.

Mr. RICHEY. That is what I say exactly. It is absolutely ridiculous and preposterous.

Mr. WALSH. Yes; preposterous. Tack that on.

Q. What do you say in regard to it?—A. Well, it would be a little unusual, at least.

Q. Not very unusual in that precinct, was it? Don't you know that a fourth of the voters, of the 769 voters on the registration list from the fifth precinct of the Fourth Ward, lived, according to the registration list, in nine houses?—A. I did not compute them and I do not know.

Cross-examination by Mr. WALSH:

Q. Mr. Raymond, you are an attorney?—A. Yes, sir.

Q. A colored attorney, who occupies quite a position among the colored people, and mix with the very best colored people in town?

Mr. RICHEY. That is admitted on the part of the contestant.

Mr. WALSH. I want to get it in the record. This precinct is largely peopled with colored people—on Morgan, High, Lucas, Eleventh, and Twelfth streets, isn't it.

A. Yes; well, not so much on Morgan as it is on Linden, Gay, Twelfth, and High.

Q. And the population is what you might call, in a general way, dense, isn't it, as to numbers?—A. In a way, yes, sir, I might. There is a large Italian vote there.

Q. Yes; but there is quite a large colored population there?—A. Yes, sir.

Q. With many of whom, and in fact most of whom, you are scarcely acquainted, owing to the fact that your profession or business calls you away early in the morning and you return late in the evening?—A. Well, that may be, yes; I stated that.

Q. You are familiar to some extent with the political condition which exists, in which the colored people are largely interested in this city, are you not?—A. Yes; I am.

Q. Is it not a fact that during the last few years there has been a marked defection of the colored vote from the Republican party to the Democratic party?—A. Yes, sir.

Q. Very noticeable?—A. Yes, sir.

Q. Is it not a fact that a large number of the colored people with whom you are acquainted are very strong and ardent supporters of Mr. James J. Butler?—A. Yes; that is right.

Q. Is it not a fact that many of those colored persons have come out and openly avowed themselves as supporters of Mr. Butler, and actually voted for him?—A. Yes, sir.

Q. Those who have previously been Republicans and voted the straight Republican ticket?—A. Yes, sir.

Q. Now, you are acquainted with some of the political factions which exist in the Twelfth Congressional district, are you not, Mr. Raymond?—A. Slightly.

Q. You know that there are three distinct factions known as the St. Louis Republican Club faction, the Merchants' League Club faction, and the Good Government Club faction?—A. Yes, sir; I know them.

Q. There are three distinct factions?—A. They term them such; yes, sir. There are people peculiar to those three clubs. I don't know that you could term them factions. There are two factions, though, to my knowledge.

Q. What are those?—A. The Good Government and the Merchants' League clubs.

Q. You know of the existence of the St. Louis Republican Club?—A. Yes, sir.

Q. And that is usually styled the "silk stocking" element of the party?—A. Yes, sir.

Q. Who are unable to observe any of the smaller fry, regardless of their political affiliations. Did you know of the calling or of the holding of a convention at Chatsworth Hall on the 4th day of October, 1902, for the purpose of nominating a candidate in the Twelfth Congressional district on the Republican ticket for Congress?—

A. I think I know of such a convention being held there. I did not know of a call being issued prior to it.

Q. Did you know that on the day the convention was held an extraordinary effort was made to induce Mr. Cyrus P. Walbridge to accept the nomination for Congress, and owing to the fact that Mr. Walbridge would not accept the nomination the convention adjourned until Monday?—A. I don't know that.

Q. Did you know that there was such a convention, and that the convention adjourned and were to meet on Monday, and that subsequently, about noon, a minority of that committee, or of those delegates, returned to the hall and endeavored to nominate Mr. Geo. D. Reynolds, and did so claim to nominate Mr. Geo. D. Reynolds for Congress, and that on Monday subsequently there was a meeting of a majority of the convention, numbering over four-fifths of the delegates of the first convention, who met and nominated Mr. E. H. Loffhagen for the long term and indorsed Mr. Geo. C. R. Wagoner for the short term for Congress?—A. I heard that, that is all.

Q. That is a matter of common knowledge among the Republican party, is it not?—I heard that; yes, sir; I heard about it.

Q. And you heard it generally discussed, have you not?—A. Well, I have heard talk of it; I don't know.

Q. You read the newspapers published in the interest of the various factions of the Republican party, do you not?—A. I do. I don't know about that; there may be; I read all the newspapers.

Q. You read all of the comments that were made on the various conventions?—A. Yes, sir.

Q. Did you read in the St. Louis Star of October 6, 1902, that the Republican Congressional convention of the Twelfth district, on Monday afternoon, selected Geo. C. R. Wagoner as candidate for the short term to Congress, and Capt. W. H. Loffhagen for the long term?—A. I recall having read that.

Q. Did you read in the Globe-Democrat of October 6, 1902, that George D. Reynolds was nominated for Congress by the Twelfth district Republicans, in convention at Chatsworth Hall, for both the short and long terms?—A. Well, I recall having read something like that.

Q. Now, is it not a fact that Geo. C. R. Wagoner, E. H. Loffhagen and Geo. D. Reynolds were all three candidates for the Twelfth Congressional Republican nomination, and that Geo. C. R. Wagoner and E. H. Loffhagen were nominated for the short and long terms, respectively, and Geo. D. Reynolds was nominated by a bolting convention for the short and long terms both?—A. I don't know; I can't answer that in that way.

Q. Answer it in the way that you can best, Mr. Raymond?—A. I wouldn't say that either convention was a bolting convention, or that either one was the right one. I will say that Mr. Wagoner and Mr. Loffhagen were nominated for Congress in the Twelfth Congressional district, and that Mr. Reynolds was also nominated for Congress in the Twelfth Congressional district, but as to whether one or the other was right or a bolting convention, I wouldn't say that.

Q. Don't know whether either two was right?—A. I don't know that, even.

Q. Do you know whether there was any call, calling the convention in conformity with that statute of Missouri made and provided in such cases, requiring a call for a convention of delegates for the purpose of nominating candidates for Congress?—A. I don't recall whether I read it or not.

Q. If there was such a call you never heard of it?—A. I did not. There might have been and I not know it, because I was not active.

Q. Were you a delegate?—A. No, sir. I beg pardon for anticipating your question, but I was not a delegate for anything. I did not even attend the convention as a spectator.

Q. From your knowledge of the conditions existing in the Republican party, was there absolute perfect harmony existing in the ranks and among the rank and file?—A. Well, I don't know. I shall have to say "No."

Q. Now, isn't it a fact that instead of harmony there was absolute discord, and that there was a pulling in all directions in an effort and scramble for the Federal "pie?"—

A. I will have to answer that in two parts.

Q. Well, answer it.—A. There was not harmony; but as to scrambling for the Federal "pie," I don't know about that.

Q. Well, hasn't it been a matter of common knowledge in the Republican party that one faction is endeavoring to support Mr. Hitchcock and Mr. Akins, and through that medium secure Federal appointments, and the other faction as opposed to Mr. Akins, supports Mr. R. C. Kerens?—A. That is true; but, while those charges were made, I don't know for what purpose. It might be simply the preference of one individual over another in his own party.

Q. That is the general discussion in the Republican party?—A. That is true; yes, sir.

Q. And the factions are divided, some into the Akins and his followers, and others into the Kerens and his followers?—A. Well, there is something in that.

Q. Mr. Raymond, have you a fair idea of the number of legal voters that there are in the Twelfth Congressional district?—A. I have not, sir.

Q. You don't know?—A. No, sir.

Q. You could not approximate from any knowledge that you have?—A. No, it would be a pure guess; I have nothing upon which to base a judgment.

Q. Have you any idea to what extent the negro voters of the Twelfth Congressional district supported the Democratic candidate for Congress, Mr. James J. Butler?

Mr. RICHEY. I object to whether he has an idea. If he has knowledge of the fact I don't object.

A. Well, I could not say that it is a fact: I couldn't base it on a fact.

By Mr. WALSH:

Q. Well, approximate, from your knowledge?—A. I should say about 70 per cent.

Q. Seventy per cent of the negro voters supported James J. Butler for Congress?—A. I think so.

By Mr. RICHEY:

Q. Isn't it true that whatever of factional feeling there might have been in the Republican party up to some time before election was thoroughly done away with and was completely vanished into thin air, and that Mr. Loffhagen, who was the candidate for Congress from the Twelfth Congressional district, withdrew his claims to the position and to the nomination, and came out in a public letter and threw up his nomination and asked his friends to unite heartily in voting for Mr. Reynolds for Congress?—A. That is true; yes, sir.

Q. Isn't it also true that Mr. Wagoner was the only candidate for Congress in the Twelfth district of the Republican party for the short term?—A. Yes, sir.

Q. Isn't it true that the Republican newspapers of the city of St. Louis supported Wagoner for the place with the utmost harmony, and enthusiasm, and heartiness?—A. That is true; yes.

Q. Isn't it true that Mr. George D. Reynolds was the only candidate for Congress from the Twelfth Congressional district of the Republican party for the long term?—A. Yes, sir.

Q. And that all differences were completely smoothed and ironed out, so that the party was in hearty accord, and in such accord supported Reynolds for the long term? Isn't that true?—A. I believe that is true; yes, sir.

Q. Now, on the other hand, isn't it true that there was not absolute and perfect harmony in the Democratic party in matter of its ticket at the last election?—A. That is true; yes, sir.

Q. Isn't it true that the St. Louis Republic, the leading Democratic organ of the State of Missouri, repeatedly and openly advised the members of the Democratic party not to vote for James J. Butler for Congress either for the short term or the long term?

Mr. BUTLER (the contestee). We will admit that for the sake of argument. We will admit also that the people didn't pay any attention to its advice.

Mr. WALSH. We object to the term "leading Democratic organ." The hermaphrodite publication referred to is absolutely unknown as a political factor.

The WITNESS. I answer "Yes" to that.

Mr. WALSH. The contestee admits that, and we now tender them a vote of thanks for their opposition.

By Mr. RICHEY:

Q. Isn't it true that with the single exception of Butler's own paper, the World—

Mr. WALSH. I object to that as not being in issue. There wasn't a paper of either Republican politics or Democratic politics in the city of St. Louis that was not opposed to Butler's election to Congress, either for the short term or the long term.

Mr. BUTLER. I want to interpose a remark right here, in justice to myself. I

object to Mr. Richey's remark connecting me with the World, and I desire to state for his information that I have no connection and no interest, either financially or otherwise, of any character with the World. I want that to be distinctly understood.

Mr. RICHEY. Well, I will withdraw the question then, because I was misinformed about it, and I would not do Mr. Butler an injustice for anything. I will reword the question.

Q. Isn't it true that with the single exception of the World, the papers both of Democratic persuasion and of Republican predilections were opposed to the election of Mr. Butler to Congress for either the short term or the long term?—A. Yes, sir.

Q. Isn't it true that the mayor of St. Louis—the Democratic mayor of the city of St. Louis—was known on many public occasions to announce his opposition to Mr. Butler for Congress for either term?

Mr. BUTLER. Don't say "Democratic mayor;" say "the mayor."

Mr. WALSH. This is something you must know of your own public knowledge.

Mr. RICHEY. You let down the bars, and I am going to walk right in.

Mr. WALSH. Yes, and after you are in we are going to close the bars and keep you in. I want to tell the witness that he is to testify of his own knowledge under oath when he makes the statement that the mayor of St. Louis at any time publicly avowed his intention of antagonizing or in any way endeavoring to defeat Mr. Butler's candidacy. I ask that he get that from his own knowledge, and not from the Star.

Mr. RICHEY. Are you through?

Mr. WALSH. Yes.

Mr. RICHEY. All right.

Q. In answer to Mr. Walsh's question on cross-examination you said that you read all the newspapers, and he proceeded to examine you as to what appeared in the Star and Globe-Democrat and other papers. I now put this question to you, to wit: Did not the public press of the city of St. Louis—the newspapers of the city—repeatedly state that the Democratic mayor of the city of St. Louis, Mr. Rolla Wells, was flat-footedly opposed to Butler for Congress for either the short term or the long term?—A. I think I did see such a report in the newspapers.

Q. That was the effect of the report—that is the substance of it?—A. Yes, sir.

Q. Isn't it true that there was a more or less well-organized opposition on the part of the clergy of the city of St. Louis, especially as to the Twelfth Congressional district, as shown by the statements made in the public press of the city against the return of Butler to Congress for either the short or the long term?—A. Well, I don't know that.

Q. You did not see that in the papers?—A. Not in the way which you put it there.

Q. How did you see it?—A. I did see that Father Coffee and Rev. Dr. Boyd opposed him.

Q. They were the only two ministers and priests that appeared in the public prints as opposing the return of Butler to Congress?—A. I don't know, sir; I won't say that, but those two I do recall.

Mr. WALSH. Mr. Crutcher was one, and I am going to have him up for criminal libel.

Q. Then it is not true, is it, that there was absolute and perfect triple-plated and oiled harmony in the Democratic party, so far as the election of Butler to Congress is concerned, is it?—A. Well, not as far as I could glean from the newspapers, there was not.

Q. Wasn't it the common knowledge in the city of St. Louis that, instead of harmony in the Democratic party on the subject of Butler being sent to Congress, there was absolute discord, as you judge from your gleanings from the public press?—A. Yes, sir.

Q. Both from the Democratic and Republican newspapers?—A. Yes, sir.

Q. You don't pretend that your statement that 70 per cent of the colored voters of the Twelfth district voted for Butler is based on any knowledge on your part?—A. No; I can not know that.

Q. It is a mere guess, a mere assumption?—A. That is all.

Q. You didn't take the opinion of those 53 men registered from 803 North Tenth street on that subject, did you?—A. Those are not colored men, I don't think.

Q. How do you know they are not?—A. Because a white person keeps the house.

Q. Then Butler didn't get very many votes from that number, did he, in your judgment?—A. I don't know.

By Mr. WALSH:

Q. I want to ask one question. Mr. Raymond, isn't it a fact and a well-known fact that the nomination of Mr. James J. Butler for Congress was made unanimously by the Twelfth Congressional delegates sitting in convention in response to a regular call?

Mr. RICHEY. If you know.

A. I don't know, except what I saw in the papers to the effect.

Q. You get that information in the way that you get all the information which Mr. Richey has referred to?—A. Yes, sir.

At this point a recess was taken until 2.30 p. m.

2.30 P. M.

Parties met and depositions were resumed as follows:

ARTHUR ROSSIER, of lawful age, being produced, sworn, and examined, deposes and saith:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Arthur Rossier.

Q. Arthur Rossier?—A. Yes, sir.

Q. Where do you live?—A. At 407 North Levee.

Q. You live at 407 North Levee?—A. Yes, sir.

Q. What is your age?—A. Twenty.

Q. What?—A. Twenty.

Q. Twenty years of age? What is your business?—A. Well, I tend to the business down there, which consists of a restaurant, saloon, and rooming house; it is known as the "New Home."

Q. Saloon and rooming house known as the New Home?—A. Yes.

Q. And your place of business is 407 North Levee?—A. Yes.

Q. How long have you lived at 407 North Levee?—A. About ten years.

Q. About ten years?—A. Yes, sir.

Q. Did you live there on election day, last November, Mr. Rossier?—A. Yes, sir.

Q. What?—A. Yes, sir.

Q. Do you know the names—do you know the people who lived there at that time?—A. Yes, sir.

Q. I will ask you whether William Zimmerman lived there on election day?—A. No, sir; he quit the house about four months before.

Q. Before the election?—A. Yes, sir.

Q. I will ask you did Frank Walker live there at the time of the election?—A. No, sir; never heard of that man in my life.

Q. Did John T. Wilson live there on election day?—A. Yes, sir; he lived there.

Q. Did A. B. Simpson live there on election day?—A. No, sir; never heard of that name.

Q. Did Jacob Siler live there at election time?—A. He was in Chicago at that time.

Q. He did not live there on election day?—A. No, sir.

Q. Harry Rogers, did he live there at that time?—A. I don't know that man.

Q. Did he live there on election day?—A. Not to my knowledge.

Q. Not to your knowledge?—A. Not to my knowledge; no, sir.

Q. Did George Pittman live there on election day?—A. No, sir; he did not.

Mr. WALSH. Speak out louder, please.

Q. Did William O'Brien live there on election day?—A. No, sir.

Q. Did John Naes live there on election day?—A. No, sir.

Q. He did not?—A. No, sir.

Q. Did John Moran live there on election day?—A. No, sir.

Q. Did Ben Moeller live there on election day?—A. Yes, sir.

Q. He lived there?—A. Yes, sir.

Mr. WALSH. He did live there?

The WITNESS. At that time; he does not now, though.

Q. Did Austin McNeoney live there on election day?—A. No, sir; that man died about four months before election.

Q. He died about four months before election?—A. Yes, sir.

Q. Did George Lewis live there on election day?—A. No, sir.

Q. Did Thomas Kane live there on election day?—A. No, sir.

Q. Did Mike Knapp live there on election day?—A. No, sir; he quit about four months. He changed his place.

Q. About four months before that he changed his place of residence?—A. Yes, sir.

Q. Did Frank Green live there on election day?—A. Yes, sir.

Q. Was there another Frank Green there? Were there two Frank Greens?—A. No, sir; just one.

Q. Eugene J. Girard, did he live there on election day?—A. No, sir; he lived in South St. Louis.

Q. John Dowdell, did he live there at that time?—A. No, sir.

Q. Did William Brown live there on election day?—A. He was at the city hospital at that time.

Q. He was at the city hospital at that time?—A. Yes, sir.

Q. Harry Boland, did he live there on election day?—A. No, sir.

Q. And William H. Ahlert, did he live there on election day?

Mr. WALSH. One moment. What was the answer to the other question?

A. No, sir.

The WITNESS. That name is Allert. I ain't quite sure whether he quit before that or about that time. He is not there now no more. I think he was at the house. I am not positive.

Q. Then of the 22 names I have asked you about that were registered at 407 North Levee, four of them were at 407 North Levee on election day?—A. Three I am positive, and one I am not positive.

Q. What is the name of the one you are not positive of?—A. Ahlert. I didn't make no memorandum of when he quit. I almost think he was there.

Cross-examination by Mr. WALSH:

Q. What is the usual employment or character of business in which these men are engaged who lodge at your house?—A. These men? What business they do?

Q. Yes.—A. They are laborers—steamboat men.

Q. Almost all are river men?—A. Yes, sir.

Q. You have quite a number of river men who simply come there and make your place their home. They lodge at your house—A. (Interrupting.) I will tell you—

Q. When they are in the city. Just pay for the night's lodging as they take it?—A. I will tell you how it is. The people that stay at our house are all white men, and the white men don't make no trips. It is the colored men, the roustabouts there, that make trips. No more than one or two white men go, maybe as cook or something, that stay there, and there is very few of them—not over ten. The river men are colored men.

Q. Well, now, the men who are employed in what is known as the Government employ—the mattress work, down the river—they are white men, are they not?—A. Yes, sir.

Q. All these who are engaged in the Government employ, in the river work, they are white men, ain't they?—A. Yes, sir.

Q. Some of these men are down the road for weeks and months at a time?—A. Yes, sir.

Q. They come up and stop at your house and other houses along the levee, do they?—A. Very few come on the levee when they work at railroad camps.

Q. I have reference to the river work.—A. That is what I mean. I am talking about railroad camps, river work; these few that come, if they come for any time, I know them.

Q. Do you keep a register or record of them?—A. No, sir; we keep those that stay regular with us; those that stay a few days we don't keep a record of.

Q. You do not keep a record of these transients—they pay as they come and go?—A. Yes, sir.

Q. What their names are, or who they are, you do not know, unless you get acquainted with them?—A. They wouldn't tell if you asked them; you couldn't find that out.

Q. As to Frank Walker, there may have been such a person and you not know him?—A. Maybe. If they stop only one night I would not know them without somebody found out his name.

Q. Frank Walker might be known as a soldier, might be known as "Humpty," or some other similar nickname?—A. That may have been; it is possible, but not probable.

Q. Most of these men are known to each other more by nicknames than anything else?—A. Yes, sir; about one-third of them are.

Q. They go by nicknames?—A. Yes, sir.

Q. So, you might hear a man called by a nickname and not know his correct name?—A. Certainly.

Q. You might hear him called by some proper given name and it might not be his real name?—A. Certainly.

Q. As to Frank Walker, he may be known to you as John Smith, and William Thompson, or any other name, and you not know his correct name?—A. I have an opinion that Frank Walker is a colored man.

Q. You don't know whether or not he is?—A. I have heard it stated that he was a colored man. I had a couple of letters for him, and I returned because nobody seemed to know anything about him.

Q. Now, all of these boats used in the Government which are engaged in dredging and various other employments by the Government—all these Government boats employ white men, exclusively, don't they?—A. They don't stay on the levee; there is nothing but the cheapest class of houses there, and them people you talk about have money.

Q. They are comparatively well to do, are they?—A. Yes, sir.

Q. Doesn't each Government boat carry with it a number of white deck hands and laborers?—A. No, sir; just one or two. The shipping-trade boats carry some deck sweepers.

Q. Are they white or colored?—A. They are white. They stay uptown.

Q. When you refer to these packet boats, you are familiar with most of these boats, are you not?—A. Those that land near us; yes, sir.

Q. Like the *Grey Eagle*. Do they employ the deck sweepers?—A. A majority of them, so far as I know.

Q. It is your impression? You know that the *Grey Eagle* employs nothing else but white men?—A. They have been doing it; I couldn't say positively. I know they have had white men.

Q. They have practically nothing else but white men as deck sweepers?—A. In my opinion.

Q. Do you know Walter Young?—A. No, sir.

Q. Are you acquainted with the deck sweepers of the *Grey Eagle*?—A. No, sir.

Q. These men are usually a rough class of men?—A. Well, they are there one week and gone the next; they leave one boat and go on another.

Q. Most of these men are almost criminals?—A. I don't suppose they are criminals; all they are after is the booze.

Q. The worst kind of people stay down on the levee, do they not?—A. I don't think the deck sweepers are the worst; I think the captains of watches are the worst—big burly niggers.

Q. They are usually absolutely no account, are they not?—A. The captains of the watches are the worst. They have two guns in each pocket; you bet your life they could show you what life is down there. The deck sweepers are white men. He is not near as bad as the captain of the watch.

Q. These deck sweepers are degenerates, illiterate men, are they?—A. They are after the booze, nothing else; no harm in them.

Q. This A. B. Simpson—he stops there, does he not?—A. No, sir; not Simpson; I don't know anybody by that name.

Q. You don't know him?—A. May be it is Siler.

Q. That is Jacob Siler?—A. He is here now; he was in Chicago at the time of the election.

Q. Siler was?—A. Yes, sir; he was there during the time of the election.

Q. Was George Pittman in Chicago with him?—A. Never heard of him before. I don't know that man.

Q. Was John F. Wilson at your house at the time of the election?—A. Yes, sir.

Q. And Ben Moeller?—A. Miller—he was there until a few days ago; he was there during election.

Q. Do you know whether or not Mike Knapp voted from your house?—A. I couldn't say.

Q. He left four months before?—A. Four months before election, about that time, maybe a little more. I know it was before election; I am positive of that.

Q. Are you in constant charge of your rooming house?—A. Every day.

Q. Every day?—A. Yes, sir.

Q. When do you start to work officially in charge of the house? What time in the morning?—A. I have three days I have the evening and four days I have the morning hours.

Q. What time do you go on during the four days? What time do you start to work?—A. I start at 4 in the morning and quit at 12 noon.

Q. At 4 in the morning and quit at 12 the next day?—A. No, sir; when I am on the morning watch I begin at 4 and quit at 12; afternoon I start at 12 and quit at 8.

Q. Who has charge of the house when you are not there?—A. My brother.

Q. What is his name?—A. Joseph Rossier, jr.

Q. Are you registered from that house?—A. I don't vote.

Q. You don't vote?—A. No, sir.

Q. How old are you?—A. Twenty, I told you.

Q. You are not old enough to vote?—A. No, sir.

Q. Have you taken any active part in the political scrap?—A. No, sir.

Q. With which party are you affiliated, or which has your sympathy?—A. My opinion is not to vote; I would not vote if I could.

Q. You would not vote if you could?—A. No, sir.

Q. Why?—A. I do not think it is to my interest.

Q. You don't think it is to your interest; do you think that both parties are so corrupt?—A. No, sir; I don't think anything at all. I attend to my own business; that is my opinion.

JOHN RAMONI, of lawful age, being duly sworn, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. State your name in full.—A. John Ramoni.

Q. Where do you live?—A. 405 North Levee.

Q. What is your age?—A. Forty-one years old.

Q. You are 41 years old?—A. Yes, sir.

Q. What is your business?—A. Restaurant.

Q. You keep a restaurant?—A. Yes, sir.

Q. Where is your restaurant?—A. Same place.

Q. At 405 North Levee?—A. Yes, sir.

Q. First precinct, Fourth Ward?—A. Yes, sir.

Q. I will ask you whether Charles Williams, registered from 405 North Levee there, boarded at your house?—A. No, sir.

Q. On election day?—A. No, sir.

Q. Of last month?—A. No, sir.

Q. I will ask you if Albert Jeffriet, who also appears registered from your house, lived there on election day of last year?—A. No, sir.

Q. I will ask you if Charles Galloway, who appears registered from your house, lived at your house on election day?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. You know Mr. Charles Williams, Mr. Ramoni?—A. I don't think I do.

Q. You don't think you do?—A. No, sir.

Q. Do you occupy the entire building there?—A. Yes, sir.

Q. What is the upper part of the building?—A. Upper part of building is rooming place.

Q. It is a rooming house?—A. Yes, sir.

Q. How many rooms have you got there?—A. Two rooms. One I use for myself and one I have roomers in.

Q. Two rooms. How many stories is the building?—A. Only two stories.

Q. You have two rooms above that restaurant?—A. No; two rooms upstairs.

Q. There are only two rooms?—A. Me and children; we got one room and back part, that is all.

Q. That is all there is?—A. That is all.

Q. How many roomers have you?—A. Well, sometimes we got one or two; sometimes we are four more.

Q. How many more?—A. Seven or eight; no more than that.

Q. Are they regular?—A. Not regular; they come and go.

Q. They come and go?—A. That is all.

Q. They come and pay their lodging for the night?—A. That is all.

Q. Then go?—A. Not every time; sometimes two or three leaves.

Q. You don't pay any attention to them?—A. No, sir.

Q. You have men who come and stop with you whenever they are off the river, or whenever they are in the city?—A. Yes.

Q. They come and lodge with you a week or two weeks?—A. Might be a day or so.

Q. As long as the money lasts?—A. That is all we are looking for.

Q. That is all we are looking for? As long as they have money to pay for their lodging and at the restaurant they stop?—A. They got to pay the rent.

Q. You don't pay any attention to these men?—A. No; very little.

Q. Do you know Albert Jeffriet?—A. No, sir; I don't know him at all.

Q. Do you know Charles Williams?—A. He was there last year; not around any more.

Q. He is not around any more, Charles Williams?—A. No, sir.

Q. Is it not a fact that many of these men are known to you, if at all, by nick-names?—A. I don't know.

Q. You don't know their right names at all?—A. Oh, well, you know I mean to say the people room, stay in the house, I knows them.

Q. Those that stay there you know?—A. Sometime they come; if they stay few days, months, sometimes they come three or four days. Of course that is all, but outside of that I haven't know them. I am working from 5 o'clock till 9 o'clock. I ought to know it all; got to.

Q. You ought to know?—A. I am work from 5 o'clock to 9 o'clock, except when my little boy stay and watch for me half hour.

Q. Except the half hour that your little boy relieves you, you are always there?—A. I am always there.

Q. Now, what I am trying to get at, trying to find out, is that. Is it a fact that some of these men who come to your house and who stop there are known by their nicknames, not known by their names; men who come there once in a great while?—A. Oh, yes.

Q. How long have you been there?—A. Been around there fourteen years.

Q. In this one place?—A. I know most of them—everything.

Q. You have been in this same place?—A. Five year there, but I was not far away before this.

Q. In the five years, how many of these transient men could you call by name, who come and stop at your house a few nights, go away, then come back, go away again, and so return occasionally—

Mr. RICHEY. And register and vote.

Q. Now, just name a few of these men that you know by name.—A. I can state Charley Galloway never was there election day.

Q. He was not?—A. He was been away once last February come.

Q. Now, who else?—A. Nobody else at all.

Q. Now, of all these men—A. (Interrupting.) I can call one, Lee Wallington; he is a man stopped with me; he has been with me four or five years. Then I can call—

Q. I have no reference to those who are stopping, rooming there all the time, but you have said you know all of these who stop with you occasionally, who come in and stop with you occasionally, and then go away and come again; I want you to name some of these so as to prove to my satisfaction that you do know them. Tell me somebody who comes to your house, goes away, comes again, stays a few nights, and goes away again?—A. I can't tell you nobody.

Q. You don't know the names of any of them, do you?—A. Not very well. If they stayed they gave their names, some of them; like them, I don't get no name. If they come one night stay five or six months away.

Q. You don't know any at all?—A. If they come one night and want room I don't know them. They want stop at my place. Only transient people come and gone.

Q. We are trying to get the facts; I want to get at the fact. You have said that you have men who come to your house and stop for a night or two, and then go away and are gone for probably five or six months, then come back again, then go away after a few nights, and then return at the end of three, four, or five months. Now, tell me the name of one of these men who have been through what I have stated—just state one of them. Stopped with you for two or three nights, gone away, stayed five or six months, returning, stopped two or three nights more, then go away again and returning—tell me one man you remember.—A. One man?

Q. Yes, sir.—A. That is what you want; one man comes and then been away ten years?

Q. I am not asking for ten years. Five or six months will suit me. You have said you remember the names of these men.—A. I couldn't remember the names. They come around; give you a name; maybe stay five or or six days—likely two or three—you don't pay no attention; if they stops, be registered from my place, don't stop with me at all.

Q. Well, Mr. Ramoni, you have stated that some men come to your house and stop for two or three nights and go away and stay away for probably five or six months—

A. Maybe a year, maybe ten year.

Q. You have only been there five years?

Mr. RICHEY. Then they have five years yet to come in.

Q. I am not dealing in futures. I am asking you about these men who return again, not those who are in the future, but those who have been there and who have returned and gone away and returned again, as you stated some time ago in answer to Mr. Richey. Tell me the name of one of these men, will you?—A. One?

Q. One; only one.—A. I couldn't in that case.

Q. You don't know one, do you?—A. No.

Q. That is all.

The WITNESS. Well, I will tell you—

Q. You don't know; don't try to tell me something you don't know. What I want to know is what you do know.

FRED HUPFELD, of lawful age, being produced, sworn, and examined, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Fred Hupfeld.

Q. Where do you live—at 926 North Thirteenth street?—A. I do.

Q. Precinct No. 1 of the Fifteenth Ward?—A. Yes, sir.

Mr. WALSH. One moment, Mr. Richey, please. [A pause.]

Q. First precinct of the Fifteenth Ward; and you are one of the judges of election at that precinct at the last election?—A. Yes, sir.

Q. What is your age?—A. Thirty-four.

Q. At that election who was it that received the votes as they were tendered there by the voters?—A. Why, Charles Peters.

Q. Who was the Democratic judge?—A. He was.

Q. Who numbered the votes thus received?—A. Why, they didn't enumerate them at all. Enumerated four or five only.

Q. Only numbered the first four or five?—A. That is about all.

Mr. WALSH. We desire to interpose an objection to the introduction of this witness at this time, for the reason that neither the contestee nor any of his attorneys, nor any one for him have been served with a notice of the intention to take the evidence of this witness before Notary Sanders, Buder, or any other notary at this place or any other place.

(Counsel for contestant objects to the giving of notice of the kind just mentioned by counsel for contestee, on the ground that the question is raised simply for the purpose of cumbering the record and consuming time, and that proper notices were given.)

Contestee's attorney objects to the taking of the evidence of any witness, under section 109 of the Revised Statutes of the United States. In reference to this particular section or clause, "The notices shall be served so as to allow the opposing party sufficient time, by the usual route of travel, for preparation, holidays and Sundays excepted.")

Q. Do you know how many votes were cast in that precinct at the last election?—A. One hundred and thirty-eight.

Q. One hundred and thirty-eight?—A. Yes, sir.

Q. You mean that only 138 votes were cast, or 138 men voted?—A. One hundred and thirty-eight men voted that I call legal voters.

Q. Then when the ballot box was opened at night what did you find?—A. Two hundred and six.

Q. Do you know how many of these ballots of the 206 were cast for the Democratic party or its candidates?—A. One hundred and eighteen.

Q. How many for the Republicans?—A. Forty-one.

Q. How many for the Socialists?—A. Three.

Q. How many scattering?—A. There was Socialists and scattering, I consider, 3, one for the allied.

Q. Were they?—A. Seven for the public ownership.

Q. Were the votes so cast initialed by the judges?—A. Thirty-eight we had to reject on that account.

Q. Thirty-eight you rejected?—A. Yes, sir.

Q. On what account?—A. On account of having no initial on the back of the ballot.

Q. Were any of the ballots not initialed at all?—A. Yes, sir.

Q. And had no numbers?—A. Oh, yes; pretty near all of them didn't have numbers. Only numbered four or five.

Q. Were there ballots there that had neither number nor initials of the judges?—A. Yes, sir.

Q. How many, about?—A. They were included in the 38 that we rejected.

Q. Now, when the voting was all over and the polls closed and you ascertained that there were 206 votes in the ballot box—A. Two hundred and six.

Q. Two hundred and six in the ballot box, and only 138 men numbered and voted, were the returns made out and signed by the judges?—A. Yes, sir; made out the returns, the Democratic judge did; then they insisted on my signing.

Q. Who did sign the returns?—A. Peters and Fox.

Q. Charles Peters?—A. Yes, sir.

Q. And Thomas Fox?—A. Yes, sir.

Q. M. Brodie signed?—A. Yes, sir; Thomas Fox and Charles Peters.

Q. Did you sign the returns?—A. I signed the tally sheet and the police return.

Q. You signed the tally sheet and the police return?—A. Yes, sir; I did. I had the impression that I could go down and file a protest—

Mr. WALSH. We object to his impressions.

Q. When you found you could not do that, what did you do with your signature?—

A. I didn't sign any more after that.

Q. You didn't sign any more after that?—A. No, sir.

Q. Well, did Johnson and Zimpleman, did they sign the returns?—A. No, sir.

Q. What was said—were they asked to sign?—A. They did not sign in my presence.

Q. Were they asked to sign?—A. Oh, yes; they were asked.

Q. Were you asked to sign?—A. Yes, sir; I was asked often.

Q. Who asked you to sign, and asked them to sign?—A. Butch—Charles Peters.

Q. Who else?—A. That is the only one asked me.

Q. Were the police at the polls?—A. Yes; they were there; two of them.

Q. Were they there when the results were read?—A. They were there all the time.

Q. Did they say anything about signing the returns?—A. No; not a word; never did say anything at all.

Q. Well, when you refused to sign, and when the other Republican judge and clerk refused to sign the polls, what was said, if anything, to induce you to sign?—

A. "You don't have to sign if you don't want to; we will stay here all night if it is necessary."

Q. Who said that?—A. Butch Peters. He told me to sign so we could get out quick.

Q. As a matter of fact, where were you taken after you refused to sign?—A. Taken to the city hall.

Q. Who took you there?—A. The officers telephoned for the patrol wagon.

Q. The hoodlum wagon?—A. Yes, sir.

Mr. WALSH. We object to the interposition by Mr. Richey of the word "hoodlum" for patrol wagon, as it tends to prejudice this witness and induce him to make a statement other than the one he personally did make.

Q. Why were you taken down in the hoodlum wagon?—A. I don't know; the police officers just wanted us; they called for us; I suppose they wanted it; I didn't ask them.

Q. Why did you go down there?—A. I think they wanted to get the ballot boxes down there, and they helped to take them down; always have been doing that.

Q. Did you sign these returns afterwards?—A. No; not then. I filed a protest.

Q. With whom did you file it?—A. I wrote it out and gave it to a fellow, I think it was Aloe; Zimpleman told me it was; I didn't know.

Q. One of the election commissioners?—A. Yes, sir.

Q. One of the board?—A. Yes, sir.

Q. At the office of the board of election commissioners—in that did you set out that there were 206 ballots, although there were only 138 ballots numbered and voted.

(Objected to as to form.)

Mr. WALSH. I suggest that you ask the witness what he did, instead of stating to the witness what he did, and suggesting a yes or no answer.

The WITNESS. I went down and wrote on a piece of paper—wrote on it something like this: "We, the undersigned, whose names are signed, refuse to receive 206 votes as the ballots in the box, as there were only 138 voted," or something to that effect; or "138 on the poll book."

Q. One hundred and thirty-eight what on the poll book?—A. Legal ballots on the poll book.

Q. You filed that protest on the night of the election?—A. Yes, sir.

Q. Were you subpoenaed before the grand jury?—A. No, sir.

Q. Were you ever called before the circuit attorney on account of that?—A. No, sir.

Q. How many times were you at the board of election commissioners' office after that?—A. I was there—I don't know—was it—about three times after that.

Q. How did you come to go the third time?—A. A fellow by the name of Ellison—Zimpleman told me, as I didn't know him—told him to tell me to come, so we came down to the election commissioners' office. He couldn't find me, so sent word. I signed them because, of course, I thought it was all right now to sign, so I started to sign, and the man came over and looked over my shoulder and said did I know what I was doing. I said "Yes." He said did I think the count was right, and I said "No." Then he said I ought not to sign the book. I had one name on the book, and I just run a line through it.

Q. You ran a line through the name?—A. I did.

Q. As clerk of that election, because of this fraud on the poll book, you have told us that you then refused and always have refused to sign the returns from that precinct at the last election?—A. Yes, sir.

Q. Well, now, did you see anyone put these extra ballots in the ballot boxes?—
A. No, indeed, I did not.

Q. Did you put them in?—A. I didn't have access to the box.

Q. Do you know who did put them in?—A. No; I didn't see anyone put them in.

Cross-examination by Mr. WALSH:

Q. Is your name Hupfeld or Hatfeld?—A. It is Hupfeld.

Q. It is on the registration printed list as Hatfeld.—A. That is upside down.

Q. What is your business, Mr. Hupfeld?—A. I am not doing anything for two years this April 19.

Q. How is that? Speak louder; I am very deaf.—A. I am not doing anything; haven't been for two years.

Q. You haven't been doing anything?—A. I have been in the grocery business before that.

Q. So for two years you have been unemployed?—A. Yes, sir.

Q. How do you support yourself?—A. With my money.

Q. Are you a capitalist?—A. You bet your life; I have an income every week.

Q. You have an income every week?—A. Yes; do you want to borrow?

Q. What is the nature of your sources of income, Mr. Hupfeld?—A. Oh, I made money at my business, and of course I have to take a few more years to live it up.

Q. You are just living up the money you made from your extensive business?—
A. I am.

Q. Where were you located?—A. At Thirteenth and Morgan.

Q. That is right about where you live now?—A. No; that is 926 North Thirteenth; that is between Wash and Franklin where I am.

Q. That was a grocery and saloon?—A. Saloon and meat shop and grocery.

Q. You stated to Mr. Richey that there were 138 votes which you considered legal votes cast in that precinct?—A. Yes.

Q. Was that the number of votes which were in the returns that you signed?—A. No; after they closed up the returns I didn't often look at the returns.

Q. What position did you occupy?—A. Judge.

Q. You were a judge?—A. Yes, sir.

Q. Did you sign the returns—the tally sheets?—A. I signed the tally sheets and police returns.

Q. You signed the tally sheet and returns?—A. Yes.

Q. Now, how many ballots were actually on the returns as being the number of ballots that were legally cast in that precinct?—A. I don't know.

Q. On what, then, do you base your calculations that there were only 138 legal ballots?—A. Well, just as a man came in and voted they came in and voted, and I called them legal parties, because I am positive there were no repeaters.

Q. Of the 138 ballots that you returned as legal parties you are positive that they were all legal ballots?—A. All right, them was.

Q. From what do you obtain your information as to the 138 ballots cast being legal?—A. That they were legal? Well, I have been serving before, and I made up my mind there was too much repeating, and I was expecting it, and so I watched very close, and I found out they didn't do no repeating.

Q. You watched closely and found there was no repeating. You are perfectly satisfied there was no repeating in your precinct?—A. No; not any of these names on the poll books.

Q. You know that positively?—A. Yes, sir.

Q. Who kept the poll book?—A. Johnson kept one; a Democratic clerk kept one—Brodie.

Q. And they both had 138 names on their books?—A. Both had 138.

Q. Were they absent from the polling place at any time during the day from the opening until the close of the polls when the voting was done from time to time?—

A. They were absent, but not absent very long; not many minutes; five or six minutes at a time.

Q. Did they at any time leave the building—the polling place—at the same time?—
A. Both of them?

Q. Yes.—A. No; I don't think they did; that is, if Brodie went, if the other did leave, he would not go farther than the door if the other was not there. There was generally one there.

Q. Were the poll books kept by anyone else than these two you have mentioned?—
A. I don't think added a name. Zimpleman might have added a name while they were absent.

Q. Now, do you think it all likely that a man came and you did not enter the name?—A. That Zimpleman did not?

Q. Or yourself; either of you fail to enter the name of any person who came to

vote?—A. Voters were so few and scarce you can't hardly help entering them. At no time during the day was there a rush. About the highest at any one time was five.

Q. No more than five at any one time?—A. Not more than five at any one time; no, sir.

Q. Now, these parties that were rejected; you mentioned some that were rejected?—A. Yes, sir; 38.

Q. Thirty-eight rejected?—A. Yes, sir.

Q. And the balance of the ballots, were they initialed by the judges and numbered?—A. No; only except about four or five were numbered.

Q. Only four or five numbered?—A. Yes, sir; and that was at the beginning of the morning work.

Q. Except the four or five ballots that were numbered, all of the ballots were unnumbered, were they?—A. Yes, sir.

Q. So that you do not know how many of these ballots were legal ballots that you have referred to as illegal ballots from any knowledge that you yourself have, do you?—A. I didn't quite understand you.

Mr. WALSH. Read the question.

Question read.

A. No, I would not know exactly.

Q. So far as you know, every ballot that was in that box had been voted by a legal voter?—A. No, sir; 138 I know was.

Q. How do you know that?—A. Because I know I was not asleep; I was watching very close; I know 138 was legal; I know the balance was not legal. How they came in I don't know.

Q. You watched very close?—A. Pretty close, but I left one time in the evening; went home to get an umbrella. I was thinking about going to the city hall, and I went home to get an umbrella, as it was raining hard and I would need same.

Q. Now, when you went to the city hall, under the escort of officers, they took you in a police patrol wagon?—A. Yes.

Q. It was raining very hard at the time, was it not?—A. Yes, sir; it was.

Q. And it was considerable of an accommodation to ride down—you considered it an accommodation, did you not?—A. It didn't make much difference to me.

Q. You very much preferred riding to the city hall than walking in the rain?—A. It was kind of bad standing in the wagon.

Q. That is the only inconvenience you suffered by being taken there?—A. Bad riding was better than bad walking.

Q. The protest that you filed was filed with the Republican commissioner, Mr. Aloe?—A. I think so.

Q. You know he was a Republican?—A. Only what I was told.

Q. Had you had any experience at any other election?—A. Oh, yes; I served at three or four elections.

Q. Are you pretty well acquainted, Mr. Hupfeld, with the workings of the Republican party in the Twelfth Congressional district?—A. No, sir.

Q. You are a man of mature years; I presume you sometimes read the papers, don't you?—A. Yes, sir.

Q. What papers do you read?—A. Well, I read most any of them. As a rule, I generally read the evening paper.

Q. The evening paper?—A. Well, yes, glance over them; don't take much time to read papers in the morning; generally get the Post and sometimes the Chronicle.

Q. Do you ever put in any of your leisure time perusing the Star?—A. No; I don't guess I read three Stars in all my life.

Q. Do you ever read the Globe-Democrat?—A. Well, I read some; very seldom read morning paper.

Q. Did you read in the Globe-Democrat of October an account of the commissioner of elections, or rather convention, held at Chatsworth by the Republicans, at which Mr. George D. Reynolds was nominated for Congress?—A. No, sir.

Q. Did you ever hear of E. H. Loffhagen?—A. I know him personally.

Q. Do you know whether he was a candidate for any office at the last election?—A. I really don't; I don't trace up elections that close.

Q. You are well acquainted with Mr. Loffhagen?—A. I am.

Q. Personal friend?—A. Not as a friend. He is a friend of course; a distant relation; old acquaintance.

Q. Did he write you a letter informing you that he had withdrawn from the Congressional race?—A. No, sir.

Q. Are you acquainted with a gentleman by the name of George C. R. Wagoner?—A. I do not know him.

Q. You don't know him?—A. No, sir.

Q. Do you know whether or not he was a candidate for any office at the last election?—A. I think he was running for Congress.

Q. You think he was running for Congress?—A. Yes, sir.

Q. Do you know what he was running for?—A. Running for Congress in the Twelfth district.

Q. In the Twelfth district?—A. Yes, sir.

Q. Do you know what term he was running for?—A. Long term, I think.

Q. Long term?—A. Yes, sir.

Q. Now, do you know Mr. George D. Reynolds?—A. Who was you speaking of a while ago—Wagoner?

Q. I am asking you about Reynolds now. Let us refer to the question again. Mr. Richey will take you over this line. Are you acquainted with George D. Reynolds?—A. No, sir.

Q. Have you heard of him?—A. No.

Q. Do you know whether he was a candidate for any office at the last election?—

A. He was a candidate, but I don't know what for, now.

Mr. WALSH. That is all.

There being no further witnesses present, an adjournment was taken until to-morrow, December 19, at 10 a. m., at the same place.

St. Louis, December 19, 1902.

Parties met pursuant to adjournment, and the taking of said depositions was this day resumed as follows:

HARRY WALKER, being duly sworn, deposeth and saith:

Q. State your name?—A. Harry Walker.

Q. Where do you reside?—A. Hotel Barnum, 508 North Sixth street.

Q. What is your occupation?—A. Hotel business.

Q. In the city of St. Louis?—A. Yes, sir.

Q. Mr. Walker, what ward and precinct do you reside in?—A. Fourth Ward, third precinct.

Q. What Congressional district?—A. Twelfth.

Q. Were you connected in an official capacity with the election which was held on the 4th day of last November?—A. I was.

Q. In what way?—A. I was clerk.

Q. Democratic or Republican?—A. Republican.

Q. Did you officiate as clerk?—A. I did.

Q. Did you have any connection with the registration?—A. I did.

Q. Now state what you did in connection with the registration in that precinct?—A. Well, I showed up on registration day. Before I went there I went to the election commissioners' office to get the books, and I was informed that the Democratic judges and clerks had the poll books.

Q. Who informed you?—A. One of the clerks up there.

Q. Well, what occurred then?—A. I went to the place—the polling place.

Q. Where was that?—A. 613 Market street.

Q. Well, go ahead.—A. And directly the two Democratic officials showed up; they had both books. We opened up and got ready for business. I requested Mr. Murphy, one of the Democratic judges, to give me one of the books, as I thought I was entitled to it.

Q. You were a Republican clerk?—A. Yes, sir; he said he had the books and that he intended to keep them. So things went along quietly for the greater part of the morning, up around until 11 o'clock somewhere, when the first heavy registration started. There was a crowd of 15 came in, and they registered and went out and came back—kept it up repeatedly.

Q. How is that?—A. Kept coming back repeatedly. Came back at least six times and registered every time. I protested to the Democratic judges, and they said they had nothing to do with that; that a man who presented himself there for registration, it was their duty to register him. I told them I thought if they would observe a little they could see they were registering several times, and I didn't think they had any right to do that. They didn't pay any attention to my protest, and as fast as a man presented himself they would register his name in the poll book. They kept that up, I judge, to the best of my knowledge, until they registered six times apiece. They went away, and things were quiet for the balance of the day until they came back again in the afternoon, the same crowd. No, it was not the same crowd; it was part of the same crowd, and they repeated the same thing again in the after-

noon. I again protested to Mr. Barry, who was Democratic judge, who was swearing those men in, administering the oath to them. I told him he had no right to administer the oath to those people; that they were repeaters, and that he couldn't help but observe that they were such. He said he didn't know those people, and I said, "Well, you are an intelligent young man, and you are certainly capable of observing that those people have been in here several times." I said, "You have no right to administer the oath, and these judges have no right to receive their names on those books at all." The thing became ridiculous. Every time he would go up and swear this bunch in he would have to laugh. His face was red from laughter. It became a regular farce. I protested again, and he said, "I can't help it." I said, "You can help it and insist on having things fair. Tell them after this that you will refuse to receive their names on the books, and they will soon stop." I said, "Of course if you stand by and don't make any effort to stop it, it can't be stopped." The protest didn't amount to anything. They continued. I think they registered about the same number of names as the crowd did in the morning. I would estimate there was about 200 fraudulent names put on the books during that day.

Q. Well, what occurred then after that in connection with the canvass of the register? Did you make any canvass?—A. I made an agreement with Mr. McCormack, who was Democratic clerk, to meet me at the hotel in the morning at 8 o'clock. He stated, "No; that would be too early;" that he would not be able to get out at that time. He had been up late the night before and required rest. Well, I asked him what hour would suit him, and he stated that 10 o'clock would do.

Q. What was the object of that engagement?—

Mr. WALSH. Of course, we object to all of this conversation with individuals that was held not in the presence of the contestee nor anyone representing him.

Q. What was the purpose of the engagement?—A. We were to copy the names from the poll books into the verification book, and from the verification book we were to canvass.

Q. Well, go on. What was done then or not done that should have been done?—

A. I waited, I think, until it seemed to me possibly it was noon or later. He didn't show up, and I went to the election commissioners' office and reported the matter to Mr. Allen. Mr. Aloe wanted to know if I knew where he lived, and I told him I did not. He said I had better go back to the hotel and possibly that he would show up and go to work on it and get through with it as soon as possible. I returned to the hotel, and Mr. Murphy and Mr. McCormack showed up together, at the same time—

Q. Who was Murphy?—A. Murphy was the Democratic judge.

Q. Is Barry the other one that you speak of?—A. No, sir; McCormack and Murphy. Barry was the other judge, but there was only two came to the hotel. So they showed up. I don't recollect what time it was. It must have been 3 o'clock, in that neighborhood, and asked me if I was ready. I told them yes; I had been ready all the time. He made some excuse for being late, and we went upstairs and got into a room. I made a demand that they give me one of the poll books. That demand was refused. So, I wanted to get to work and have the precinct canvassed. So I said, "All right, we will start in." Mr. McCormack took the poll books, and Mr. Murphy and I had the verification book. Mr. McCormack was calling the names, and Murphy had the poll book. As we progressed I came to the conclusion that he was skipping certain places—omitting to call names.

Mr. WALSH. We object to the conclusions of the witness as to what somebody else was doing.

Mr. HOLTCAMP. Go ahead.

A. Well, I became satisfied that he was—

(Same objection.)

Mr. HOLTCAMP. Go ahead.

A. They commenced complaining about being tired, and—

Q. Did you say anything about his omitting names?—A. I spoke to him. I said, "Are you sure you have all these people along Sixth street," and he said, "Yes; all that is registered," so I didn't say anything more. They commenced complaining about being tired, and I thought that possibly I could get—

Q. Never mind what you thought. Let us get on.—A. Well, they complained about being tired. I wanted to get the book, so I made a request of Mr. McCormack to leave that book with me. I thought I would get one of my judges to assist me, and that I would complete my verification list by morning, so that I would have it ready, and that he should do the same. He could take the other book, the original, if he so desired, and we would start bright and early in the morning and canvass the precinct. He refused again to allow me to have the book; said the book was

given into their possession and they were going to retain it. So we quit work, I guess, about half past 5 in the evening. They made an appointment to meet me again the next morning at 9 o'clock. I waited till about 10 o'clock, and they hadn't shown up at that time. I got on a car and went to the election commissioners' office and reported the matter to Mr. Aloe—no; I didn't—well, I reported it; yes, sir. He didn't happen to be in the office when I went there. I went into the recorder of deeds' office—

Mr. WALSH. Do you wish to withdraw the statement you made, that you reported it to Mr. Aloe?

A. No, sir; I don't. I wish it to stand. I did report it.

Mr. HOLZCAMP. Go ahead.

A. I went to the recorder of deeds' office and telephoned to the hotel and told the boy in charge that in case Mr. McCormack and Mr. Murphy showed up to tell them I would be there at 11 o'clock. They hadn't got there when the boy got to the 'phone. I started back to the hotel, and on the way I met Mr. Aloe coming into the city hall. I explained the situation to him and he told me, "Well, go back to the hotel; possibly they will show up." I went back to the hotel and found that they had been there—got there some fifteen or twenty minutes after I had left. The boy had told them what I said, requesting them to stay there and I would be back about 11 o'clock. Well, I didn't hear any more from them until possibly 2 o'clock in the afternoon; I received a telephone message from Mr. McCormack, at least the party at the other end said his name was McCormack, and asked me if I was ready to go to work. I said, "Yes; I have been here all day, except about half an hour, when I went to the election commissioners' office to report that you had not shown up." "Well," he says, "when will you be ready?" I said, "I will be ready at any time; I am here all day from 6 o'clock in the morning until 6 o'clock in the evening." I didn't see anything more of them until this final revision day. They showed up at the polling place; we remained there all day. Of course there was nobody showed up; there was nothing to do, because there had been no notice left; the precinct hadn't been canvassed. Mr. McCormack, after we closed up, requested that we strike some names off. I said, "On what ground?" He said, "I have some here; I canvassed." I said, "Well, I don't think you had any right to make a canvass by yourself." I said I would refuse to strike any name from those books, because I didn't know whether those names were stricken off correctly or not. So there wasn't anything done and the books were not signed or closed up. I didn't hear anything more of it until I received notice from the election commissioners' office to go out and canvass the precinct. I met McCormack, and after we got through copying those names it was rather late; I went out to canvass one place with him under the Junior Hotel. Quite a number registered from there—

Q. Where is the Junior Hotel?—A. Sixth and Lucas avenue, on the northwest corner. We went up in there; this number was 701. I wanted to go in the saloon first and McCormack said, "No; it is in the hotel these people live;" so we went up there. We met Mr. Hurst, and I asked him about these people and he got rather fidgety; finally I ask him—told him I wanted to know the truth, whether those people resided there or not, and finally he came out and he said point-blank that they didn't. He said, "Those people, in the first place, are not registered from here." He said, "This number isn't 701;" he gave the number; I forget it now; 707½ or something like that. He said, "Those people are registered from the saloon underneath." He insinuated that he had been approached about these people, and he said, "I will refuse to have anything to do with it;" he said, "I am a Democrat, but I believe in fair elections; I don't believe in this kind of business." He said, "I won't stand for it." Those are about the words he used. So I wanted to strike the names off immediately—that is, check them off immediately—and McCormack refused. He says, "We will go downstairs in the saloon;" so I said, "All right." We went down in the saloon; the saloon is conducted by a man named Drumstray. We seen Drumstray, and I told him that according to the books he had quite a number of people registered from his saloon, and I wanted to know if he had any place for the people to stay. He said, "No." He said, "Those people don't reside here," and I called off the names. I said, "Do you know any of these people?" He said, "No; I don't; I don't know any of these people." So we checked them off—all those that were registered from that number; and when I finished them I had to go before the grand jury. I have been subpoenaed before the grand jury, so I got my judge, P. F. Meyer, to continue the canvassing with Mr. McCormack. Well, they went to one or two places, possibly four places, I think, and they quit. I was afraid that the canvass—this man Meyer told me that he had to be home at a certain hour, and I was afraid that they wouldn't do as much work as they should; and I went up to the grand jury and explained it to the assistant prosecuting attorney—Hancock,

I think it was—that I was engaged in canvassing the precinct, and if they could excuse me I would like to get off and complete it. So they excused me and I hurried back. Took some time to find them. I didn't find them until Meyer came back and told me they had quit the canvass; said he had to go home.

By Mr. WALSH:

Q. You say that Meyer had quit?—A. Yes, sir. I asked where he had left McCormack, and he said he had left him in Kinney's saloon.

By Mr. HOLTCAMP:

Q. What Kinney was that?—A. Tom Kinney, a member of the house of delegates.

Q. Has he any other nom de plume?

Mr. WALSH. We object to counsel's effort to try to encumber the record with scurrilous remarks as to any individual who has no direct connection with the candidate for Congress.

Q. Has he any other name by which he is known?—A. He is known as "Snake" Kinney. I have heard him called such.

Q. Go ahead.—A. I found McCormack in the saloon, as I said. I requested him to go on with the canvass. There was quite a crowd in there, and they were drinking, and I had hard work to get him away. I staid in there possibly two hours trying to persuade him to come out and complete the canvass.

Q. Was the canvass ever completed?—A. It was never thoroughly completed; no, sir.

Q. What next?—A. So then we got another notice from the election commissioners to be there on a Sunday. Mr. McCaffrey was in a rage and threatened to have me arrested, stating that he—

Q. Who is McCaffrey?—A. Election commissioner. He threatened to have me arrested and put in jail; they couldn't stand this thing any longer; and finally I told him he had no right to address me that way; I had done everything in my power to canvass the precinct, and he had no business to address any such words to me; I was willing at all times to do my duty, and I have shown no inclination to do otherwise. He turned to Mr. McCormack and accused McCormack of being drunk at the time. I believe the other two commissioners said that it appeared to them as if he was intoxicated. We were ordered to go out and canvass that precinct and return there by 2 o'clock. We went out and all we could do was to get over some of the worst places. We went to the Imperial Hotel; McCormack said he was hungry, and we went in there and he had something to eat. I requested him, when he was through, to come on, and he said, "Well, go on in there; I will be in there in a minute." I went in there and seen the clerk in charge of the office of the hotel and explained my duty to him. I told him I was from the election commissioners' office and McCormack was in the dining room and would be there in a minute, and I wanted to get the names of the people that were entitled to vote from that house. That we had a list, and I wanted to know if it was correct. He asked me if I wanted it straight, on the level, and I said why certainly. He kind of smiled, and I said, "We don't want anything only what is right; anybody that lives here and is entitled to vote from here," I said, "We want to know who that is, and any that are not residing in this hotel I want to know who they are so they can be stricken off." Meantime McCormack came out and—meantime I had called several off to him, and he didn't seem to know them until McCormack came out, and he commenced to say, "Well, he may have lived here at one time; he may have lived here at one time, and it is possible you don't know him," and so forth, and finally the clerk stood for the whole crowd except one, I think. One possibly that he didn't know. The same thing was done at the Princeton, the colored woman there—she didn't know any of them, and McCormack would say, "Well, it is possible he may be here; may have stopped here some time ago, six months or a year ago." His effort was to confuse her, when she was satisfied at one time that a man didn't live there, after he had started in with her in that way she would say, "Well, maybe he might have stopped here," or "I think I have heard that name," etc. In this 410 North Seventh street, the Silver House, we were not able to canvass at all.

Q. Why?—A. We went there and the man in charge stated they didn't have possession of the books. The night man had possession of the books, and we would have to come there when he was on watch; so of course we didn't have a chance to go back there. We had to get through with it and get to the election commissioners' office at 2 o'clock. So I reported back to the election commissioners' office. We explained that we had accomplished all that was possible within the time given, and we agreed in the presence of the election commissioners to scratch those names against which we had a check mark. We all agreed to that in fact, on that point. We went back and started to work, and after we had scratched quite a number Mr.

McCormack raised the point that we had left notices at these numbers requesting these people to call at the election commissioners' office on Monday and show cause why these names should not be stricken from the poll books, and he claimed that we had no right to strike those names off. I brought up the fact that we had agreed to do it in the election commissioners' office, and I didn't think he was acting fair to go back on that proposition now. He refused point blank to do it, so we went to the election commissioners, and Mr. Aloe and Mr. McCafferey had left. Mr. Wood was still there, and we went before Mr. Wood and explained the matter to him, and he said he was powerless in the premises, that he couldn't do anything; we would have to fix it up the best way we could amongst ourselves. We went back and argued and wrangled and couldn't come to any conclusion, and finally I thought I would make a proposition. I figured that I had better get a percentage of those names off than to leave them all on. So I made a proposition that we would take these worst places, some of the worst places, and we would strike those names off—places like the Junior, where we knew absolutely that they didn't live there, and some at the Princeton, and some at the Pilgrim. We finally compromised the thing in that way. I don't recollect now exactly what number of names we scratched.

Q. Well—A. Now, I will call your attention to another thing: During the scratching Murphy, the Democratic judge, for a while had the duplicate book, and during Mr. Shultz's absence, for some cause or other, he changed and got the original, and I and McCormack were calling these names from the verification book. Mr. Murphy neglected to scratch quite a number of those names from the original book. I saw him do it once, and I thought at the time possibly it was an oversight, that he didn't really know what he was doing, or he didn't know there was no ink on the pen, and I called his attention to it. I said, "Murphy, you haven't scratched that name." And he says, "By God, there is no ink on that pen." He put a little ink on it then and scratched that one. I was on the other side of the table and I couldn't watch him, understand? He had the book kind of up, and it was almost impossible for me to see what he was doing, but this thing developed on election day, in the book Schultz had you would find the name scratched, but in the book they had it was not scratched.

Q. The book who had?—A. The Democratic officials.

Q. Now, do you recollect the names of any of those men who registered there the first day repeatedly?—A. Why, their correct names I couldn't give.

Q. Do you remember where they registered from?—A. I remember several of the places; yes, sir.

Q. Name the places.—A. They registered from the Princeton Hotel; registered from the Alma Hotel; registered from the Globe Hotel; registered from 109 North Sixth street, that is the Grand Hotel, I think; registered from the Junior Hotel, and 701, which at that time was supposed to be a bar, 701 North Sixth street, and 410 North Seventh street, the Silver House.

Q. Well, did you canvass the registration at the Silver House, 410 North Seventh?—A. No, sir; that was not canvassed.

Q. Why?—A. Well, we didn't get it at all.

Q. Tell in as few words as you can why, Mr. Walker.—A. We didn't have the time. We couldn't get back. We had to report at the election commissioners' office at 2 o'clock.

Q. Do you recollect how many were registered from that place?—A. No, sir; I can't recollect right now.

Q. About how many, as near as you can recollect?—A. Between 20 and 25, I should judge.

Q. Now, on the day of election were you present at the polling place?—A. I was.

Q. Was there anything irregular there in connection with the casting of the vote that day?—A. There was.

Q. State what it was.—A. Well, the majority of this crowd that had entered these names upon the books on registration day appeared at the polling place and voted those names that they had entered on registration day.

Q. Well—A. They were there in crowds of about 10 apiece; 10 in each crowd.

Q. Was there any protest made to their voting?—A. Yes, sir. In order not to be unfair in any manner at all, I allowed—while I was almost certain that those fellows were not voting straight—I allowed them to vote the first time. They all came in and voted. Then they came back, and I immediately challenged them.

Q. What was the result of that challenge?—A. Well, I challenged them and protested to him—

Q. The judges?—A. The judges and clerk, but it did not do any good.

Q. What was said and done?—A. Mr. Kinney—one fellow I scared out. He fell out of line and went out, and directly he came back with Mr. Kinney, and Mr. Kin-

ney asked the judges, the Democratic judges, if this man's name was on the books, and they stated that it was. He said "Then why in hell don't you give him a ballot? Are you going to allow these * * * * to run this thing? If you find a man's name on the book you give him a ballot and see that it goes on the books." I told him, I said, "Mr. Kinney, you have no business in here in the first place. You put out our challengers, and you have no right in here." I said "You have no right to come in here and instruct these men. This man has voted before, and he has no right to vote again." Well, it done no good. They gave him a ballot, and the ballot was put in. They kept that up all day, in the morning, at noon, in the afternoon, and at night. In the afternoon the trouble was, you see, they would come in in crowds of about ten, and there would be a few people that were legitimate voters in amongst the crowd. There was always a crowd of possibly fifteen at one time or another, and there was so much confusion, you know, that you couldn't keep track of what names those fellows had voted. You knew they had been there and voted previously, but you couldn't recall their names unless they would attempt to vote a name of somebody that you happened to know. I kept busy; had to keep the tally sheet, you know, but I challenged them one after another. There was a dense crowd in the evening, and I didn't notice those fellows amongst the legitimate fellows or anything of the kind. I believe they let out three or four that we challenged. I don't know what they done with them. One fellow came in that had been in there several times before, and he came in and attempted to vote the name of W. H. McIntire, 418 Lucas avenue. Fortunately, one of the grand jurors happened to be in the room at the time, and there was ample police protection inside and outside, so as Mr. Schultz turned to look for the name I asked the man again "What did you say that was?" He said "W. H. McIntire." I said "Where do you live?" "418 Lucas avenue." I whispered to Schultz "Don't be in any hurry about finding that, and I made out like I was looking for it, and I said again "What did you say the name was?" He said "W. H. McIntire, 418 Lucas avenue." I jumped up and demanded the man's arrest immediately. They wanted to know on what charge, and I said attempting to vote fraudulently. I said "I am personally acquainted with W. H. McIntire. He rooms in a house that we conduct, and I am absolutely positive that this is not the man he represents himself to be, and, furthermore, Mr. McIntire has already voted." I demanded in very emphatic tones that he be arrested. The officers made no effort to place him under arrest; in fact, they allowed him to walk out. I went up to Mr. Kinsella, who was one of the grand jurors that happened to be in there, and I stated "If this thing is going to be allowed to go on and these people, if they are protected in their attempt to cast fraudulent votes and are allowed to do it in that way, there is no necessity of my staying here, because I can do no good. I am willing to stay here if I can accomplish anything, but I can not accomplish any good right now, and I took my overcoat up and started to go out. Mr. Kinsella spoke to Sergeant Meehan, and he said "You had better arrest that man." So Sergeant Meehan sent Officer Robinson after him, and they captured him about half a block away. That night another fellow came in, a fellow that had been there about five times at least—a long, tall fellow, a fellow if you saw him once you couldn't help recall him—

Q. Never mind about that. We want to get at the matter as fast as we can.—A. He attempted to vote under the name of Parrish Wolff. Parrish Wolff is a clerk at Judge Spaulding's, and he is registered at the Pilgrim Hotel, but they said he didn't live at the Pilgrim Hotel. He came in the morning and wanted to vote, and found his name scratched. Well, that evening this tall fellow came in to vote the name of Parrish Wolff. I demanded his arrest immediately, but there was no—Kinney came in and wanted to know how I knew it wasn't him, and I told him that Wolff had been there in the morning and wanted to vote and we had quite a controversy on account of his name being stricken off. I said if Sheridan—Kid Sheridan—that he knew Parrish Wolff; but Sheridan had been there all and at that time was out, so Kinney took this fellow by the arm, and he says: "We will go out and find Sheridan and we will prove that this man is all right." And, of course, they walked out, and that is the last of him. I never seen him any more.

Q. Were you personally acquainted with Parrish Wolff?—A. Yes, sir.

Q. Who was present in the room during the counting of ballots, besides the judges and clerks?—A. There was a man named Circardi.

Q. What had he to do there?—A. No business there that I know of. He was not an official that I know of.

Q. Who was this?—A. Circardi.

Q. Did he take part in the count?—A. No, sir.

Q. Who else?—A. A fellow named Kid Sheridan was in there.

Q. Kid Sheridan?—A. Yes, sir.

Q. Did he take part in the count in any way?—A. No, sir.

Q. Had he any official connection with the polls?—A. No; claimed to be a challenger, but they had ejected the challengers in the morning, our challengers, and he remained there nearly all day.

Q. Who else, if you remember?—A. Mr. Kinney came in there several times during the count.

Q. Did he handle the returns?—A. No, sir; one of our judges left early in the afternoon; he claimed he couldn't do anything, and we reported the matter to the election commissioners, and they swore in a fellow named Krieger. Mr. Krieger wasn't there only a short time. In the afternoon about 3 or 4 o'clock he came in there, I guess, and he signed the returns, although he didn't know what went on in the morning. I told him not to sign them; requested him not to sign them; told him he had no right to sign them, as he hadn't been there all day.

Q. Who swore him in?—A. Mr. Aloe, the election commissioner.

Q. Up at the election commissioners' office?—A. No, sir; he came there. This fellow Krieger went out once or twice and he came back, and the second time he came back he went off in a sleep. He was in a trance you might say, and they woke him up and asked him to sign. I asked him if he knew what he was doing and he said, "That's all right." I said, "What's all right?"

Q. Did anything further occur that day?—A. They locked the door on me and refused to let me leave the polling place. Said I had to sign. I told them there was no power on earth could make me sign.

Q. Who locked the doors?—A. I don't know who did it. It was locked when I went there. I couldn't get out. This Gorman threatened to slug me.

Q. Who was he?—A. He was a fellow that was sworn in in the place of Barry. They put Barry out and put Gorman in.

Q. As what?—A. As a judge; he had charge of the poll books.

Q. Republican or Democrat?—A. Democrat.

Q. Go ahead.—A. So they insisted, threatened to call the hoodlum wagon and have me taken to the election commissioners' office, and every once in awhile this crowd would come back and they would holler, "Did he sign?" It was done to intimidate me—to make me sign, I guess. I told the policeman if they kept me there I was going to have the matter investigated. They had no legal right to detain me there against my will. I had a right to leave the place when I got through and they had no right to detain me. I insisted that they should allow me to depart. My brother and a friend of his came there and found the door locked, and I hollered out and told them that they refused to let me depart. He told the officers that they had better open the door and allow me to leave there if they didn't wish to get into trouble. I walked back and forward, and when I walked toward the door they followed me.

Q. Who would?—A. The police and this fellow Gorman. Finally, a policeman came to me—I was then standing inside. They had put these polling booths up in front of the door, right in front of the door so you couldn't see, after the polls had closed, you understand, and he came there and says: "Why, the door isn't locked; why don't you go?" So I went back and found the door standing ajar. I said, "That's all right."

Q. Did you leave?—A. Yes, sir. I said "It is not locked now, but it was locked."

Q. Did you leave?—A. I left.

Q. Do you remember the count of the ballots that night?—A. According to the tally sheet there was 278 ballots cast. I think that was about the number that were in the books; counted in the returns.

Cross-examination by Mr. WALSH:

Q. Mr. Walker, you are a brother of Robert Walker, aren't you?—A. Yes, sir.

Q. You jointly conduct the Barnum Hotel?—A. Yes, sir.

Q. Lessors of the hotel?—A. Yes, sir.

Q. How long have you had that hotel in your family?—A. Sixteen or seventeen years.

Q. There has been a number of raids there for poker playing, hasn't there?—A. Not a number; a few.

Q. A few?—A. Yes, sir.

Q. How many, about?—A. I can't say.

Q. Several in number? You say there were not a number; your only way to dispute it is to say you don't know?—A. Yes, sir. Depends on what you consider a number.

Q. Well, it used to be kind of a poker-playing resort and still is?—A. Same as every other hotel; yes, sir.

Q. They are all that kind?—A. Yes, sir; there isn't a hotel in St. Louis that they don't play poker in.

Q. They are all kind of gambling dives, ain't they?—A. No, sir; I don't call them dives.

Q. Well, gambling places?—A. A man is not necessarily a frequenter of dives simply because he gambles. Lots of respectable people gamble.

Q. Your brother was a candidate for justice in this district?—A. He was.

Q. He now has a contest on?—A. Yes, sir.

Q. Contesting with the justice of the peace who was regularly inducted into office in that capacity? That is the case, isn't it?—A. You call it regularly; I guess that is right; I don't consider it "regularly."

Q. Well, that is a matter of fact to be decided according to your views?—A. Yes, sir.

Q. The view you have of that question is largely due to your fraternal interest in the success of your brother's contest?—A. No, sir.

Q. Isn't it?—A. No, sir.

Q. Isn't it possible that that is inclined to bias or prejudice your judgment to some extent?—A. I don't think so.

Q. Are you sure?—A. Positive of it.

Q. You have absolutely no prejudice? You are looking at it from a purely judicial point of view?—A. Yes, sir.

Q. You estimate that there was about 200 fraudulent names registered?—A. Yes, sir.

Q. In that precinct?—A. Yes, sir; on registration day; I don't know what was done at the city hall.

Q. You estimate there was about 278 ballots cast?—A. Yes, sir.

Q. Do you estimate that there were only 78 ballots legally cast? That is your impression?—A. Yes, sir.

Q. Now, Mr. Walker, what is the character of this district with reference to the residents? Are they men usually who are lodgers or boarders in hotels or are they men of families, as a rule?—A. It is a rooming-house district.

Q. Are you familiar with the boundaries of the third precinct of the Fourth Ward?—A. Yes, sir.

Q. What are they—what is the north line?—A. Morgan street.

Q. What is the southern line?—A. Market street.

Q. What is the western line?—A. Seventh street. It may zigzag in there a little at some places.

Q. What is the eastern line?—A. Fourth street.

Q. That is what you know about the boundary lines?—A. It may be out a little at some places, but that is practically the boundary.

Q. But you know that 418 Lucas avenue is in your precinct, do you?—A. No, sir.

Q. How?—A. No, sir.

Q. On your direct examination did you not state that Mr. McIntire resided at that number and that you were personally acquainted with him?—A. Yes, sir.

Q. And that he voted in your precinct?—A. Yes, sir.

Q. He did?—A. Yes, sir.

Q. Then if Mr. McIntire resided at 418 Lucas avenue and if it was in your precinct and he is a personal friend of yours, he cast a ballot that was illegal?—A. He was not a personal friend of mine, sir.

Q. Then I misunderstood you?—A. I said I was personally acquainted with him.

Q. Oh. Well, then, McIntire cast an illegal ballot?—A. Well, I will tell you how it happened—

Q. No; just answer the question?—A. I can't say; I am not a lawyer.

Q. Is it a legal ballot where a person living in another precinct casts his ballot in your precinct?—A. I can't say.

Q. Well, don't you know—isn't your knowledge of election law and of the rights of electors sufficiently broad to let you understand whether or not a man who is regularly registered in another precinct has a right to go into your precinct and vote?—A. What do you mean; that he has committed a crime?

Q. Yes.—A. If they accept his name and put his name on the books through ignorance, and through his ignorance the vote is cast, I don't see that it is illegal.

Q. You were clerk at the polls?—A. I was there on registration; I had no vote in the matter.

Q. Were you there on election day?—A. I was there election day.

Q. Then did you have occasion or did you look over the list of voters when Mr. McIntire came in and check him off?—A. The first time; the original time?

Q. Any time at all?—A. No, sir; Mr. Schultz attended to that.

Q. Mr. Schultz? Was he a clerk?—A. Our judge.

Q. Your judge?—A. Yes, sir.

Q. Did he check off McIntire as being a regular voter in your precinct?—A. I presume so.

Q. But you knew that McIntire was registered at a hotel or boarding place that you are interested in at 418 Lucas avenue?—A. Yes, sir.

Q. And you knew that 418 Lucas avenue was not in your precinct?—A. I didn't know it on registration day.

Q. Do you know it now?—A. I do now; yes, sir.

Q. Did you know it on election day?—A. No, sir. They have changed the precinct some and I wasn't aware of the fact.

Q. Since registration day?—A. Since the previous registration. Well, I hadn't taken any active part in politics for three or four years.

Q. You have since your brother was elected before?—A. The election after that I served.

Q. You assisted at the election at which your brother was elected to the office of justice of peace?—A. The first time?

Q. Yes.—A. Yes, sir; but it used to then only extend as far as Washington avenue. They have extended it to Morgan street now, at least along there, and it cuts in and leaves out a part of Lucas avenue. There is a place in the other precinct there that I didn't know about.

Q. You took no steps to discover the boundaries of your precinct?—A. I didn't take any special steps; no.

Q. How did you expect to canvass your precinct when you didn't know what was in your precinct?—A. From the books, from the poll books.

Q. And after examining the poll books and going to all the trouble you have detailed here in connection with McCormack and Murphy you were not aware of the fact that 418 Lucas avenue was not in your precinct?—A. Yes. As I told you before, they had changed the precinct and I wasn't aware of the fact.

Q. Now, as a matter of fact, Mr. Walker, your effort was not to discover who was regularly registered in the precinct, but to provide ammunition for just exactly what is going on now, wasn't it?—A. No, sir; it was not.

Q. The cry of fraud had been raised a long time before election day, hadn't it?—A. I didn't hear any cry of it.

Q. The cry that the infamous Nesbit law was responsible for Democratic success in St. Louis is something that has been a slogan in the Republican party ever since the Nesbit law has been created, hasn't it?—A. The Nesbit law—I have heard it condemned on both sides, Democratic and Republic; I have heard it condemned alike by both.

(Previous question read.)

Q. That is a fact, isn't it?—A. They have shown up its effect, I presume.

Q. You could not possibly answer the question I asked you, could you?—A. Well, I am not running the party, you know. You will have to see some of the party managers about that.

Q. I asked you from what you had heard and what you know from general information?—A. I can't say any more than I have already said. I have heard it condemned.

Q. Generally condemned by Republicans?—A. And Democrats.

Q. Well, what Democrats outside of Jim Blair have you heard condemn it?—A. Well, I have heard Mr. Judson and heard some of my personal friends condemn it.

Q. James L. Blair, the person you have heard condemn it, is a Kirkwood man, isn't he, don't live in St. Louis? He is the only Democrat you have heard condemn it, isn't he?—A. I have read in the papers of others condemning it.

Q. Do you believe all you read in the papers?—A. No, sir; not all.

Q. Believe much of it, or any of it?—A. I believe a good deal of it.

Q. You said you wanted to get your judge to assist in completing the verification list. Did you take any steps toward inducing your judge to do that?—A. What have you reference to?

Q. In your direct examination you said that you wanted to get your judge to assist in completing the verification list.—A. I wanted him to assist me if they would give me one of the books which I was entitled to. I made the demand that they give me either the original or the duplicate poll book, so that one of my judges could assist me in calling off the names that were entered on the poll books into my verification book, so that we could complete the canvass. I wanted to do the work quickly and get it done as soon as possible.

Q. Now, Mr. Walker, this precinct is one which has a population that is termed a floating population; a dense floating population?—A. It has a floating population; I don't know as you would call it dense.

Q. It consists practically of nothing else but rooming and lodging houses, doesn't it?—A. That is about all.

Q. There are very few families who live in the district?—A. Very few.

Q. And many of those men who live in the cheaper lodging houses sleep there and are packed in the rooms where there are bunks in tiers, aren't they?—A. Yes, sir.

Q. And they are men whose employment is what is known as Government work, railroad work, and river work?—A. Yes, sir.

Q. It frequently calls them away from their homes for long periods of time?—A. A percentage of them, I guess.

Q. And these are men who never give up their resident rights in St. Louis; men who always return to St. Louis and spend their earnings here in St. Louis, isn't that right?—A. Well, they don't always stop in the same place; they change around frequently.

Q. Yes; but many of them stop at the same place?—A. Some of them; yes, sir.

Q. For instance, you have at your hotel traveling men who call the Barnum Hotel their home, practically, don't they?—A. Yes, sir.

Q. How many men of that character have you in your hotel?—A. Possibly two or three.

Q. Possibly two or three?—A. Yes, sir.

Q. You have men who leave their trunks there and who return after some time, after some absence?—A. Yes, sir.

Q. You had a little suit growing out of such a matter as that, didn't you?—A. Yes, sir.

Q. Where a man left his trunk in a room in the hotel, his room, and during his absence the trunk was broken open, and you subsequently had to arrange with him to pay a small amount for the loss he had sustained?

(Objected to as encumbering the record and being wholly immaterial and incompetent, and even if there was such a suit the records would be the best evidence.)

By Mr. WALSH:

Q. Mr. Walker, you are somewhat familiar with the conditions existing in the Republican party?—A. Not so very.

Q. Your brother is a committeeman in the Fourth Ward?—A. Yes, sir.

Q. Isn't he?—A. Yes, sir.

Q. He was also the leader of one of the factions, wasn't he?—A. What do you mean by faction?

Q. Well, isn't it a well-known fact that there are several factions in the Republican party?—A. I don't know whether you call them factions.

Q. Isn't it a well-known fact that there are two factions distinctly known as the Akins and the Kerens factions?—A. I don't know anything about that.

Q. Well, isn't it a well-known fact that there are three well-known Republican clubs—the Good Government Club, the Merchants' League Club, and the St. Louis Republican Club, which have their supporters in the Republican ranks?—A. There are three such clubs; yes, sir.

Q. And that on or about the 5th day of October, 1902, there was held a convention of the Twelfth Congressional delegates of the Republican party at Chatsworth Hall, and that the convention endeavored to induce Mr. Cyrus P. Walbridge to accept the nomination for Congress from the Twelfth district for the Republican party?—A. That may be so. I may have read of it. I didn't take any part in those meetings.

Q. Well, don't you know, and isn't it a matter of common general knowledge in the Republican party that the convention adjourned until Monday for the purpose of hearing from Mr. Walbridge as to his intentions, and subsequently about half a dozen of them returned and nominated Mr. George D. Reynolds for the long and short term of Congress from the Twelfth district?—A. I don't know anything about it.

Q. Isn't it a fact that on the Monday following a convention of those delegates who had been locked out at Chatsworth Hall met in convention and nominated Mr. E. H. Loffhagen in place of Mr. George C. R. Wagoner for Congress?—A. I may have read of those occurrences, but I had no personal—

Q. Had you signed any petition for any Congressional candidate for the purpose of having his name placed on the ballot for the election held November 4, 1902?—A. I have no recollection of doing any such thing.

Q. Did you see any petition which was circulated in the interest of any candidate for Congress or for any nomination for the purpose of inducing the election commissioners to place his name on the ballot?—A. I signed some kind of a petition that my brother had. Now, I don't recollect what it was. I think it was in his own behalf, though.

Q. In his own behalf?—A. Yes, sir; I think that was the nature of it; I can't say positively.

Q. Do you know Mr. E. H. Loffhagen?—A. No, sir.

Q. Do you know whether or not he was a candidate for office at the last election, held November 4, 1902?—A. All I know is what I read in the papers.

Q. What did you read? What was the matter of public knowledge that was brought to you?—A. I can't recollect it now.

Q. Well, what is your best recollection, from what you read?—A. I think, to the best of my knowledge, that he was a candidate for Congress.

Q. He was a candidate at the election held November 4, 1902?—A. No.

Q. That is the best of your recollection?

Mr. HOLTCAMP. The witness didn't say that at all.

The WITNESS. I didn't say that at all. He was a candidate for nomination.

Q. Do you know whether he was nominated?—A. It seems to me he was.

Q. He was nominated?—A. Yes, sir.

Q. Now, do you know whether or not Mr. George C. R. Wagoner was a candidate for any office?—A. He was.

Q. First, do you know what Mr. Loffhagen was nominated for?—A. He was nominated for Congress.

Q. From what district?—A. Twelfth district.

Q. For what term?—A. I don't really know whether it was a short or long term.

Q. Do you know whether or not Mr. Wagoner was nominated for any office?—A. He was nominated for the short term for Congress.

Q. For the short term for Congress?—A. Yes, sir.

Q. Where and when were either of those gentlemen nominated?—A. I can't say that.

Q. Do you know whether or not there was any convention held anywhere that nominated either of those gentlemen for Congress?—A. I have no personal knowledge of that fact; no, sir.

Q. Do you know Mr. George D. Reynolds?—A. I know him by sight.

Q. Do you know whether or not he was candidate for any office at the election held November 4, 1902?—A. He was.

Q. For what?—A. For the long term in Congress.

Q. For the long term in Congress?—A. Yes, sir.

Q. Then, to the best of your recollection, there were three candidates for Congress on the Republican ticket at the election held November 4, 1902?—A. No, sir; there was not three.

Q. What position did Mr. Loffhagen assume?—A. Mr. Loffhagen resigned in favor—

Q. When?—A. I can't say; some time before election.

Q. Under what circumstances did he resign, if you know?—A. All I know is what I read. I read his letter in the paper saying that he wished to withdraw, and advising all his friends to support the other candidate.

Q. Do you know anything about a factional fight which arose in the city central committee in which the State committee was called in and eventually supported the convention of 15 members of the city central committee, and ejected a number in excess of 20?—A. I don't know anything myself—don't know anything personally. I never had any connection with it. Took no part in it.

Q. But that is a matter of general public knowledge?—A. Yes, sir.

Q. Everybody knows that?—A. Yes, sir.

Q. You know that a suit was instituted by the majority of the city central Republican committee which had been ousted, under the name and title of *Kalbfeld v. The Election Commissioners*, don't you?—A. I don't know the title of the suit; I know there was some legal proceedings.

Q. Don't you know that an application was made to Judge Robinson, one of the supreme judges of the State of Missouri, for a restraining order to restrain the State committee from enforcing the act of the minority of the committee in reorganizing and rejecting from the city central committee the majority?—A. All I know is what I saw in the paper.

Q. You know there was an order made by Judge Robinson on the Republican State committee to restrain them from interfering in the local situation?—A. I read that in the paper; yes, sir.

Q. You know there is now a suit pending in the supreme court growing out of this matter?—A. I don't know anything about that; no, sir.

Q. Haven't you read that in the paper?—A. I don't recall reading it.

Q. Isn't it a fact that a meeting was held at the justice's office, which your brother occupied, in connection with this matter?—A. Not to my knowledge.

Q. That the minority of the city central committee met there and reorganized?—A. Not that I know of.

Q. For the purpose of effecting an alleged reorganization?—A. I don't know of any such meeting.

Q. Don't you know that your brother was in constant communication with the St. Louis Republican Club, who were endeavoring to effect an alleged reorganization of the city central committee?—A. No, sir; I don't know of any such thing.

Q. Well, isn't it a fact that there was two separate and distinct factions growing out of the matters I have just spoken of?

Mr. HOLTCAMP. I object to this mode of examination. The witness has gone over this and given his answers to the same.

Q. Didn't your brother inform you of these facts and endeavor to interest you?

(Same objection.)

A. What facts?

Q. Those that I have just referred to in the preceding questions.—A. No, sir; he did not tell me anything about it.

Q. Never talked about it?—A. No, sir.

Q. You said that you struck off a percentage of the names from the registration list?—A. No, sir.

Q. You said that you were under the impression that Mr. Murphy failed to scratch some names on this registration list which he should have scratched?—A. Yes, sir.

Q. Did you and Mr. Schultz arrive at any other percentage than the one that you agreed on when you and Murphy were working on the books?—A. How do you mean?

Q. Well, did you conclude that the percentage of the names stricken from there was not quite large enough, and did you do a little scratching on your own account?—A. We couldn't do that.

Q. Couldn't?—A. No, sir; Schultz didn't have anything to do with the candidates.

Q. He had something to do with the scratching, didn't he?—A. Yes, sir; he took that from our books, Mr. McCormack's and my book; I couldn't scratch a name there without McCormack consented to it.

Q. You said that you reported to Mr. Aloe the facts at various times which seemed to you to be wrong?—A. I did.

Q. Mr. Aloe is the Republican election commissioner, isn't he?—A. Yes, sir.

Q. Under what name does your hotel and your registration appear in the printed list of registered voters?—A. Which hotel?

Q. The third precinct, Fourth Ward. Are you registered anywhere else?—A. Hotel Barnum, 508 or 510 North Sixth street.

Q. 508 or 510 North Sixth street?—A. Or Hotel Barnum.

Q. Did you look at the printed registration list to see whether your name was on there?—A. No, sir; I never seen one of them.

Q. Weren't you furnished with the books on election day?—A. The printed list?

Q. Yes.—A. I didn't see any.

Q. Didn't you look for any?—A. I didn't see any around. I don't see where they could have been. They may have been there, but I never observed them. You know the printers only had possibly Monday to work on them, if they worked on them at all. We didn't get through the canvass, understand, until Sunday night. The election come off the following Tuesday, and I don't know whether they had time to get the list or not. If they did, I didn't see them.

Q. How many persons were registered from the Barnum Hotel, 508 North Sixth street?—A. I don't know; 7, I guess, something like that; possibly 7 or 8.

* Q. Do you remember who they were?—A. I can call off some of them.

Q. Call them off.—A. Well, I was registered from there, and my brother was registered from there, Robert Walker. Our night clerk was registered from there, A. D. Carter, George H. Bender, Louis Friedmann, R. H. Lisle, and a fellow named Elmore. I think that is all I can recollect.

Q. Carter is your night clerk, isn't he?—A. Yes, sir.

Q. Who is George H. Bender?—A. Who is he?

Q. Yes.—A. He is a retired business man.

Q. Makes his home there?—A. He does.

Q. What business was he formerly engaged in?—A. Real estate, I think, principally.

Q. Who is Louis Friedmann?—A. He is the gentleman who conducts the cigar stand there.

Q. The cigar stand in the hotel?—A. Yes, sir.

Q. Who is our R. H. Lisle?—A. He is the man that is in the nursery business. Handles trees.

Q. Who is Elmore?—A. Elmore is the man who handles stock food.

Q. Now, Mr. Walker, how does this registration from the Barnum Hotel compare, in round numbers, with the registration from the place in 1897?—A. I can't say.

Q. Were you there then?—A. Yes, sir; I guess so.

Q. Did you have a larger or smaller number of registered voters at your hotel at that time?—A. I can't recollect now. I don't recollect what the number was. I couldn't estimate it even.

Q. No way of arriving at any conclusion?—A. No, sir; too far back for me.

Q. How about 1898?—A. I can't say who was registered from there then. It has never been a very large registration from there.

Q. Are you familiar with those who reside at 418 Lucas avenue?—A. Am I familiar with them?

Q. Yes.—A. Not all of them.

Q. Do you know the names of any of those who reside there?—A. I know some of them; yes, sir.

Q. Do you know Phil Walsh?—A. I know there is a Phil Walsh there.

Q. John Walsh?—A. I don't know him.

Q. Don't know him?—A. He may be there, but I don't get around there much, you know. They have a night clerk there and a younger brother of mine there, and they conduct that entirely. I don't know but a very few people that live there—reside in that house.

Q. Do you know William Wall?—A. I do not. He may be there; but I don't know.

Q. Do you know another John Walsh registered from there? You say you don't know William Wall?—A. I understand there was a large registration from there. There is a big percentage of those people that never did stop there. I can't say who they are or anything about them, but they never did stop there.

Q. The hotel is conducted by you and your brothers?—A. Yes, sir.

Q. You said that you had a great deal of difficulty in getting McCormack out of that saloon, Kinney's saloon, as you stated. Now, isn't it a fact that Meyer quit work and left McCormack, and McCormack simply discontinued work because there was no one to work with him?—A. I didn't make any such—I didn't state that McCormack refused to go on with Meyer. I said Meyer had to go home.

Q. Yes.—A. I don't lay any blame on McCormack for that at all.

Q. The only point you make was that you tried very hard to get him out the saloon?—A. After I found him, I tried to persuade him every few minutes to come on and let us get it finished up.

Q. Yes. He, like Meyer, had simply discontinued work; that is right, isn't it?—A. Yes, sir. He couldn't—after Meyer quit, understand, he couldn't work.

Q. He couldn't work any longer; he didn't propose to work in double relays on that; and he quit?—A. He was supposed to continue the work until it was finished.

Q. He was supposed to do it when Meyer wasn't there?—A. I was there. I was the man that was supposed to canvass with him. But as I said—

Q. Meyer was your substitute then?

Mr. HOLTCAMP. We object to counsel trying to inject statements the witness has not made at all.

Q. Well, isn't it a fact that Meyer was your substitute in doing this canvassing for you?—A. He was an election official; he was a judge, and I had sent—

Mr. HOLTCAMP. If he was your substitute, say so, and if he wasn't, say that he wasn't.

A. He took my place; I suppose he was a substitute.

Q. Did you substitute him?—A. I spoke to Election Commissioner Aloe and he said it would be all right. I was going according to instructions.

Q. You said to the best of your knowledge that some of these men registered six times each. That is merely a supposition, isn't it?—A. No, sir.

Q. Do you know it to be a fact?—A. Yes, sir.

Q. Are you able to identify any individual who registered six times?—A. If I could see him; yes, sir.

Q. How many individuals did you see who registered six times?—A. Well, I'll tell you. There was some I think registered more than six times, and some of them six and some of them seven, and some five, possibly, but the whole would average, I would judge, about six times apiece.

Q. Well, how many registered six times?—A. I can't say exactly.

Q. You have been able to say that they registered six times and seven and more. Now, give me an idea of how many registered any number of times. About how many?—A. I can't say, because there was 30 of them there and there was a great deal of confusion there at the time.

Q. Do you think there was 30 of them that registered six times?—A. I think that 30 would average that, understand.

Q. That they would average six times apiece?—A. Yes, sir; possibly a little more.

Q. A little bit more. How much more?—A. I think there was in the neighborhood of very close to 200 fraudulent names put on the books.

Q. Yes. So, for the purpose of bolstering up your statement that there were 200 names placed on the registration list, you say there were 30 who registered at least six times apiece?—A. It would average about that.

Q. Were you instructed by anybody to make that statement?—A. No, sir; I didn't need any instructions.

Q. Didn't need instructions?—A. I am testifying to the facts that I seen.

Q. Were you examined by anyone before you came here as to your statement?—A. No, sir.

Q. Have you made any statement to any attorney of any fact that you would testify to or any individual?—A. To any attorney or any individual?

Q. Any individual as to what you would testify to?—A. At this meeting, in this place?

Q. Yes.—A. I did not.

Q. How were you subpoenaed?—A. By a regular subpoena, I presume.

Q. How did this information come to these attorneys, then? How did they get the information that you had this knowledge?—A. You will have to ask them about that; I don't know.

Q. You don't know?—A. No, sir.

Q. You have been sitting here in this room during the taking of these depositions for two days, haven't you?—A. I was here yesterday.

Q. Were you here the day before?—A. No, sir.

Q. You sat here yesterday from the time the depositions started until they closed?—

A. I was summoned here, I presume. I didn't know where else to sit.

Q. You were the gentleman that was referred to when the notary's attention was called to some one signaling to a witness, aren't you?—A. You made that assertion.

Q. You are the gentleman I referred to?—A. Yes; but you were dead wrong about that, just the same. I never seen the man before in my life. Never laid eyes on him. The man never looked at me. I had no idea of signaling. You are just mistaken about that, that's all.

Q. Who is E. T. Meyer?—A. P. F. Meyer?

Q. P. F. Meyer; who is he?—A. He is a traveling salesman.

Q. Where does he live?—A. He is residing now—I don't know—residing now in the West End some place. I don't know his number.

Q. Where did he live on election day?—A. At the hotel.

Q. Hotel Barnum?—A. Yes, sir.

Q. Was he registered from there?—A. Yes, sir; he was registered from there. That is one I forgot.

Q. That is one you forgot?—A. Yes, sir.

Q. How long had he been registered from there?—A. I don't know what day he registered there.

Q. How long had he been stopping there?—A. He had been stopping there off and on for a number of years.

Q. Is he one of those who has been making Hotel Barnum his headquarters?—A. Yes, sir.

Q. Who does he travel for?—A. He represents two houses. He is with a man named Korngold, and the Empire Suspender Company.

Q. A man named what?—A. Korngold.

Q. What was he doing the last time you saw him?—A. I presume he is still with them.

Q. What was the nature of his residence at Hotel Barnum?—A. How do you mean? He came there to sleep, I presume.

Q. Well, but did he sleep there continuously?—A. Well, the last time he came there his wife was away on a visit.

Q. His wife was away?—A. Yes, sir; and he had rented his flat out, I think, and he made that his stopping place.

Q. He had rented his flat out?—A. Yes, sir.

Q. How long did he stop there that time?—A. How do you mean?

(Question read.)

A. I can't say right now how long he was there.

Q. When was the time that he had rented his flat out? Was it about election time?—A. No, sir; it was some time before.

Q. About how long before that?—A. I don't really know.

Q. Now, when you say he made the Hotel Barnum his headquarters, that is simply in connection with his sample room, isn't it?—A. No, sir; he had a room there.

Q. It was for the purpose of exhibiting samples, wasn't it, of his goods?—A. No, sir; his houses are located here.

Q. Is he a traveling man? Travels out of St. Louis?—A. Yes, sir.

Q. Where was his flat that he had rented out?—A. I told you I didn't know.

Q. Don't know where he lived?—A. No, sir.

Q. Do you know where he lives now?—A. No, sir; I could find out, but I don't know right now where he is.

Q. That is P. F. Meyer?—A. Yes, sir.

Q. How do you spell it—M-e-i-e-r or M-e-y-e-r?—A. M-e-y-e-r. I don't know exactly; I think it is M-e-y-e-r.

Q. Is Louis Friedmann still stopping at your hotel?—A. He is, sir.

Q. R. H. Lisle?—A. Mr. Lisle is not here at present.

Q. Elmore?—A. No, sir; he is not here at present.

Q. You experience the same kind of difficulty about keeping your roomers after election day that some of these other hotels do, don't you?—A. No, sir; I do not.

By Mr. HOLT CAMP:

Q. The class of roomers at these hotels that you have named, and from which this large registration took place, is almost wholly transient, isn't it?—A. Yes; I think so.

Q. The great mass of them are men who have no place of abode—settled place of abode?—A. Come and go; floating around.

EDWARD LAMBERT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Q. What is your name?—A. Edward Lambert.

Q. Where do you reside?—A. 202 North Twelfth street.

Q. What is your occupation?—A. Carpenter.

Q. Were you connected in any way with the election held on the 4th of November in this city?—A. Yes, sir.

Q. What capacity?—A. Judge.

Q. Republican or Democratic judge?—A. Republican.

Q. Where was your polling place?—A. 1206 St. Charles.

Q. What precinct and ward is that in this city?—A. Fourth Ward, seventh precinct.

Q. Twelfth Congressional district?—A. Yes, sir.

Q. Did you examine or pay any attention to the registration in that precinct?—A. Yes, sir.

Q. State what you did.—A. We opened in the morning and people came in there and commenced to register. We took them in as fast as they came along. Very few came until about 9 o'clock and then there was about 15 came up in a bunch.

Q. Did you know any of them?—A. Not by name; only by sight, that is all.

Q. Did you know them by sight before that?—A. I had seen a few of them at the Presidential election. At the time of the canvass for the Presidential election there was a few of them then there that I remember, one or two of them.

Q. What did they do?—A. They came in there and commenced to register. I objected to one man, and they said—the other judges said—that I couldn't object, we had to put their names down. I said, "All right; if that is the case, let it go." They commenced to register, and kept on registering. They formed a ring around the table, kind of a circus ring, and kept on going.

Q. The same men?—A. Same men. A few of them went out, but very few. Most of them stayed in there and they kept on going around. They registered as fast as they could until—

Q. Did they register under different names?—A. Different names.

Q. Did you see them have anything from which they obtained those names?—A. I looked out of the door once or twice; they would have a little list in their hands, a little piece of paper, and look at it, and when their list ran out they would go out on the street and get a piece of paper up against the wall and make out another list and come back again.

Q. Did you take notice of any particular individual who registered more than once?—A. Yes, sir; there was so many of them, I picked one out. I would sort one man out and keep track of him, and by doing so I could get a pretty good idea of what the rest of them done.

Q. How many times did this man register?—A. He registered—I got his name three times—he registered fifteen times that I know of.

Q. Do you know any of the names he registered under?—A. Yes; I have three names [referring to card]—one is McMullen, one is Byrnes, and one is John Cole.

Q. The other ten or twelve names you didn't get?—A. No, sir; I got those I could. I tried to keep track, but I had to let them fire away.

Q. Did you protest and object to his registration?—A. I objected and protested without getting any answer. They told me I couldn't object.

Q. Who told you?—A. Well, the other judges. They claimed I couldn't stop any man from putting his name on the books. I thought so myself, really. They kept putting their names down as fast as they came along.

Q. Did you canvass or have anything to do with the canvass of the registration?—A. I didn't have anything to do with it at all.

Q. Do you know whether one was made?—A. No, sir; I don't know.

Q. On the day of election—did you notice anything irregular that day in connection with the casting of the vote at that precinct?—A. Well, after we had opened the polls a little while, about 8 o'clock, somewhere in that neighborhood, a crowd came in, and I recognized several of them that had registered. I saw this very man that I had sorted out, that had registered fifteen times, and I noticed him. I would watch him. I had the book, the duplicate book. He came up and told me his name. All right. I let him off once. I let him vote once. He never went out of the door, but he came over there to the table and wanted to vote again. I said, "You have no right to that vote;" and he said, "That is my brother that voted." He said, "Vote that name or I'll knock your head off." I said "You can knock my head off, but I object to that vote;" and I turned around to my other judge and I said, "Ain't you going to kick, too; ain't you going to object to this man voting?" He said, "No; I won't;" he said, "I ain't going to get my head broke."

Q. Who was that?—A. That was Mr. Doering.

Q. Is he a Republican or Democratic judge?—A. Republican.

Q. Was anything said by the Democratic judges?—A. The Democrats said, "Oh, shut your mouth; let that man vote."

Q. How often did he vote?—A. He voted four times and attempted to vote five times, but the name couldn't be found on the books.

Q. Did he give a different name each time?—A. Yes, sir.

Q. Do you remember any particular name he voted?—A. I have them all here [examining card]—Thomas Dowling, Henry Ballard, Charles Peters. He voted by the name of Moore, but the initials I didn't get. William Harvey. They couldn't find that name on the books.

Q. That is the name he attempted to vote?—A. Yes, sir. They couldn't find the name.

Q. Was there any other of the men who voted illegally?—A. Yes; the whole bunch; 15 of them there. About 12 or 15 men all the time. They came in and voted just as often as they wanted to. Would have been voting yet if it had kept going, I guess.

Q. Did you know the other so-called Republican judge, Doering?

Mr. WALSH. We object to the counsel injecting the "so-called," unless he proposes to show that he was not a Republican.

Mr. HOLTCAMP. Well, I will show that.

Q. Do you know how he voted?—A. Who is that?

Q. Doering?—A. Only what he told me. He told me he voted for Butler.

Mr. WALSH. We object to any statement as to what any other person told the witness as to who he voted for, unless that statement was made under oath, or unless the ballot shows that he voted for the contestee.

Q. Was there any trouble there in connection with any of these parties?—A. All the trouble that I saw was across the street, when they smashed a man's picture gallery over there.

Q. I don't know anything about that. What was it?—A. There was a man over there that they claimed—I don't know for a fact—

(Counsel for contestee objects to anything the witness does not know.)

Q. Just state what happened.

Mr. WALSH. What you know happened.

A. What I know was—I know I saw the camera coming out through and the sash with it. That is all I know.

Q. Did you see any assault there at all?—A. No, sir.

Q. Were there any policemen present when these men repeated?—A. One policeman was in front of a polling place leaning against the wall. Right against the polling place there was a paint store, part of the place we had for booths. There was a policeman and detective in there.

Q. Was there a policeman in the polling place?—A. There was none at that time.

Q. Was there at any time a vote offered by parties who could not give the name they wanted to vote under?—A. One man came in there and voted; he must have voted a dozen times, but he voted four times and forgot his name while going from one end of the table to the other. Got his ballot at that end of the table, came to the booth and picked his ticket out and came back, and we asked what his name was and he had forgotten what it was. He had to go out on the street and find out what his name was. That happened four times.

Q. Were you present when the ballots were counted?—A. Yes, sir.

Q. Did you take part in that?—A. I counted, yes; part of the counting; I didn't do it all.

Q. I say did you take part in it?—A. I took part in it; yes, sir.

Q. Did you sign the returns?—A. Yes, sir.

Q. Knowing that they were incorrect?—A. I was satisfied they were not correct.

Q. Why did you sign them?—A. Oh, well, I didn't care to be taking a walk down to the Four Courts. I didn't want to get into trouble over it.

Cross-examination by Mr. WALSH:

Q. You signed the returns without any protest, didn't you?—A. I didn't protest; no, sir. I gave it up for a bad job; I would have signed anything, so far as that goes.

Q. How long have you been an official at elections, Mr. Lamber?—A. My first was in the Presidential election. I didn't go through with it. I had to go to Atlanta, Ga. I wasn't here at the election. I was here when they registered and when they canvassed the precinct.

Q. You are a carpenter?—A. Yes, sir.

Q. Jobber or journeyman?—A. Journeyman.

Q. By whom are you employed?—A. I am now employed by Dan Evans.

Q. Where are you working?—A. Up on Delmar avenue, on that church.

Q. Is Evans a contractor and builder?—A. Yes, sir.

Q. Were you having a conversation this morning out here near the elevator in connection with what you were to testify to?—A. No, sir.

Q. Did you talk to anybody this morning?—A. I haven't spoken to anyone except Mr. Doering there, the fellow that was judge with me.

Q. Republican judge?—A. Yes, sir; I just happened to meet him at the elevator as we went up there and I said a few words to him; that is all.

Q. What was it you said about the number that were voted, or something of that kind? The number that was registered from one house?—A. We started to talk right there, and we went outside of the door and I asked him if he remembered the number of votes that was cast election day. That is what I asked him.

Q. Now, didn't Mr. Doering or someone else tell you to stick to what he told you to say here on the stand?—A. No, sir.

Q. How many of them were there out there talking to you at the time?—A. Him and I was all I know. There was another man standing up against the wall; I don't know him from a cord of wood; never saw him before that I know of.

Q. Wasn't there a real elderly man—a man about 60 years old?—A. Yes, sir; he never spoke a word.

Q. Was he talking to you or you talking to him?—A. No, sir; I never spoke to him and he never spoke to me.

Q. Did you tell him anything?—A. Not a thing. Never spoke to him.

Q. Did you suggest to him a statement of what you told him to say?—A. No, sir.

Q. Or did they tell you that?—A. They didn't tell me nothing.

Q. These names, McMillan, Burnes, John Cole, where were they registered from? Where did they represent that they were living?—A. Registered from?

Q. Yes.—A. I can't say that.

Q. You have their names?—A. I have their names; yes, sir.

Q. You know that they are registered on the book?—A. Yes, sir; the clerk put them down. I suppose they are there; he said he did, anyway.

Q. You say a man voted the name of Thomas Dowling? Where did he represent that Thomas Dowling was registered from?—A. He voted.

Q. Where did he represent that Thomas Dowling was registered? What address did he give?—A. I didn't pay any attention to that.

Q. Henry Ballard?—A. Well, I didn't pay any attention to the number at all. Just kept track of the names; kept me busy to do that.

Q. Charles Peters?—A. Yes.

Q. Do you know where he was represented as living?—A. No, sir.

Q. And this man Moore?—A. I don't know nothing—I don't know about him even there. All I got is the name.

Q. Do you know how many actual bona fide voters there are living in your precinct?—A. No, sir; I don't.

Q. When was it you last officiated as a judge?—A. The Presidential election.

Q. When President McKinley was elected?—A. Yes, sir.

Q. How many registered voters did you have there then?—A. Three hundred and seventy-odd, if I am not mistaken. I am not sure. It was 300 and something. It was under 400.

Q. In the neighborhood of 400?—A. Yes; under that. Three hundred and seventy.

Q. Between 370 and 400?—A. Yes, sir; along there.

Q. At that time, did you consider from what you knew and from what you saw that there was any illegal or fraudulently registered voters there then?—A. Yes, sir; I was satisfied—

Q. You did?—A. I was satisfied there was some cut out, all right.

Q. Do you know anything about the factions existing in the Republican party in this city?—A. Don't know anything about it.

Q. Do you read the papers?—A. I read every paper printed in St. Louis.

Q. Do you read any of the political matter that is published?—A. Never read any political fights of any kind. I cut that out.

Q. Cut that out?—A. Yes, sir.

Q. By whom were you appointed to the election position you hold?—A. By whom?

Q. Yes. On whose recommendation?—A. Mr. Walker, I believe. I won't be positive of that, either.

Q. You are personally acquainted with Mr. Robert Walker?—A. I have seen—I have met him probably five times in my life.

Q. Do you know whether or not he was a candidate for office at the last election?—A. Well, all I know is what I saw in the paper, that he was a candidate. That is as far as I can say.

Q. That is as far as you know?—A. Yes, sir.

Q. That is the sole source of your information, what you saw in the newspapers?—A. Yes, sir.

Q. Do you know Mr. E. H. Loffhagen?—A. No, sir.

Q. Did you read anything about his candidacy in the papers?—A. Oh, I have seen something in the papers about some chewing match they had. I paid no attention to that; can't give any details.

Q. Some chewing match that they had?—A. Yes, sir.

Q. Who had?—A. Some dispute between them.

Q. Between whom?—A. Between the Republicans. I didn't read it; I just looked at the headlines.

Q. You never read the political matters, only this was of sufficient importance and noticeable, so you did notice there was a chewing match between the Republican faction?—A. I generally read the headings and let it go at that.

Q. Did the headings in this particular case bring to your mind that there was a chewing match going on in the Republican ranks?—A. Yes, sir.

Q. Do you know what office Mr. Loffhagen—do you know if Mr. Loffhagen was a candidate for any office?—A. I don't know anything about it.

Q. Do you know Mr. George C. R. Wagoner?—A. Yes, sir.

Q. Do you know whether or not Mr. George C. R. Wagoner was a candidate for any office at the election held November 4, 1902?—A. I met him on the street one night and he told me that he was; that is all I know. I saw it in the paper.

Q. You are personally acquainted with him?—A. No, sir; I don't believe I have met Mr. Walker to speak to him—

Q. Mr. Wagoner?—A. Yes, Wagoner—a dozen times in my life. I got acquainted with him before I went to Atlanta, Ga. Met him two or three times before I went there and probably met him half a dozen times since I came back.

Q. Met him in a political capacity?—A. No, sir; met him on the street; met him in a saloon a couple of times—three times.

Q. Two or three times in a saloon?—A. Yes, sir.

Q. Do you know whether or not Mr. George C. R. Wagoner was a candidate for any office at the election held November 4, 1902?—A. Yes, sir; I know that he was up for the short term from what he told me himself and from what I saw in the paper; that is all I know about it.

Q. Do you know Mr. George D. Reynolds?—A. No, sir.

Q. Do you know whether Mr. George D. Reynolds was a candidate for any office at the election held November 4?—A. I don't know nothing about him.

Q. Don't know anything about him?—A. No, sir.

Q. Never heard whether or not he was a candidate?—A. Oh, I might have heard he was a candidate; no doubt I have; seen it here and there, but I don't know the man and took no interest in him; didn't care whether he was elected or not, or what he ran for; no business of mine.

Q. Did you attend any of the political meetings which were held just previous to the last election?—A. No, sir.

Q. Do you know of the existence of the St. Louis Republican Club, the Merchants' League Club, and the Good Government Club?—A. The only one I know is the Merchants' League, I believe. I was up there once; that is the only club I know anything about.

Q. Are you a member of any political club?—A. No, sir.

Q. Don't you know that there is what is known as the St. Louis Republican Club?—A. Yes, sir; I believe there is such a club.

Q. Don't you know it is a matter of general knowledge that that contains what is known as the silk-stocking element of the Republican party?—A. Don't know anything about that.

By Mr. HOLTCAMP:

Q. I believe you stated, in answer to Mr. Walsh's question, that at the Presidential election there were between three and four hundred registered from that precinct?—A. Yes, sir.

Q. And you think some of them were false registrations?—A. Yes, sir.

Q. Do you recollect how many were registered from this precinct at this last election?—A. Six hundred and forty-one.

By Mr. WALSH:

Q. Were you registered at the last election?—A. Yes, sir.

Q. From your precinct?—A. Yes, sir.

Q. How many ballots were cast?—A. How many ballots were cast?

Q. Yes, sir.—A. Four hundred and fifty-four or four hundred and fifty-five; I am not positive on that, though.

A. A. YARRINGTON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is A. A. Yarrington?—A. Yes, sir.

Q. You live at 519 Morgan street?—A. Yes, sir.

Q. What is your business?—A. Lace designer.

Q. What is your age?—A. Fifty-six.

Q. Were you a clerk of election on November 4 at precinct 2 of the Fourth Ward?—A. Yes, sir.

Q. E. A. Dill was one of the judges of that election?—A. Yes, sir.

Q. I will ask you if you took part in the registration of voters in that precinct?—A. Yes, sir.

Q. I will ask you to explain the method by which that registration was tested by you? What did you do in the revision?—A. Well, we went through the precinct and got the best information we could and took off 64 names. After that I went to the election commissioners' office and stated to them that there was three places that should be gone over.

Q. Three places?—A. That should be gone over. He said—

Q. Three numbers?—A. Yes, sir.

Q. Of houses?—A. Yes, sir.

Q. In that precinct that should be—where the registration should be gone over again?—A. Yes, sir; I had my doubts about it.

Q. Those were places that were at 417 Morgan street, 601 Franklin avenue, and 615 Franklin avenue?—A. Yes, sir.

Q. Were those places gone over again?—A. He said in the office, "The thirty-second precinct is closed;" that is all he said.

Q. Then these three places—you told the—the election commissioner, was it?—A. Yes, sir.

Q. You told them the registration there, that you had doubts about the correctness of it, and that they should be gone over again?—A. Yes, sir.

Q. You were informed at that time that the registration for that precinct had closed?—A. Had closed.

Q. Now, when you took the names—for instance, there is registered from 615 Franklin avenue forty different persons. Will you tell us how you tested the registration at that number? What did you do to find out whether forty people lived there and were entitled to vote there?

(Counsel for the contestee objects to the statement of counsel for contestant that there was any particular number of voters at any particular place, as the witness has made no such statement, this being a statement that counsel makes, not being made under oath and not part of the evidence that is now before the notary.)

(Question read.)

A. Mr. Parrisono was interpreter and he gave the same answer he had given us on the last registration. Of course, they are mostly Italians there.

Q. That is, he said—A. He said, "Yes, it is all right here;" he said, "That is all right;" that is all he said.

Q. Did you ask him about each individual?—A. No, sir.

Q. By name?—A. No, sir.

Q. Why?—A. Because he gave us the same answer he gave two years ago.

Q. He said it was all right?—A. Yes, sir.

Q. Declined to make any further statement about it?—A. That is what he said; yes, sir.

Q. Now, I will show you the registration list of voters of the Fourth Ward, second precinct, for October, 1902, initialed by the notary, and ask you to say how many names appear on that registration list as living and being entitled to vote from 615 Franklin avenue.

Mr. WALSH. I will ask if these initials are in ink by the notary. If not, I make the request that the notary, in initialing any exhibit, that he do so in ink or in indelible pencil.

The NOTARY. That is in indelible pencil, sir.

The WITNESS. Well, it is about the same as before, excepting five are added to it.

Q. How many appear in this list registered from that number?—A. Forty. Thirty-five two years ago. Five more were added.

Q. I will call your attention to this same registration list and ask you how many voters are registered from No. 1038 Third street?—A. There are about thirty-five, aren't there?

Mr. WALSH. Are you counting them, Mr. Witness?

Mr. RICHEY. I am holding them so he can count.

The WITNESS (after counting). Thirty-two.

Q. Now, how did you test the revision of that number?—A. Same as the others.

Q. Tell how it was done?—A. Just asked if those people were all right and if they lived there, and they said yes.

Q. Asked just one person?—A. That is all. A lady that keeps the place there.

Q. You propounded the names and got that answer from her?—A. That is all she said.

Q. I will ask you how many names appear on this list of the second precinct, Fourth Ward, as being entitled to vote in that precinct at the last election? What is the number?—A. Of these?

Q. Yes.—A. Four hundred and eleven.

Q. I will ask you how many votes—

(Counsel for contestee objects to the statement of counsel for contestant as to what appears at the last election, unless this list shows that.)

Mr. RICHEY. That is what he says; this list shows that.

Mr. WALSH. All right.

Q. Now, let us understand your answer. This list shows that there were 411 persons entitled to vote in that precinct at the November election last?—A. Yes, sir.

Q. Now, I will ask you if you know how many votes were actually cast in that precinct at that election?—A. Not to match that, I can't.

Q. No, what was the number? I am not trying to match it.—A. I can't say, because we had more. We had 470. Zachritz ran ahead of the ticket 17, and we had 485, along in there.

Q. Four hundred eighty-five votes?—A. Something like that.

Q. Wasn't it 485 votes exactly?—A. That is better yet; yes, sir.

Q. So there were 411 voters on the registration list and 485 votes cast from that precinct?—A. There were.

Q. That is right, is it?—A. That is correct.

Q. I will ask you whether there was any repeating at that precinct that day; and if so, whether much or little?—A. Rather much.

Q. Did you notice repeating yourself?—A. Yes, sir.

Q. Did others of the election officers notice repeating?—A. Yes, sir.

Q. What was done about it when it was noticed?—A. I said to Dr. Dill, "What do you think of this?" He said, "It is a regular farce, isn't it?"

Q. That is Dr. E. A. Dill, one of the judges?—A. Yes, sir.

Q. At that precinct?—A. Yes, sir. I said, "I am ready to quit." We wrote a few more names and I asked again—I closed my book and he closed his, and we started out.

Q. Started out of where?—A. Out of the place.

Q. Out of the polling place?—A. Yes, sir.

Q. About what time of the day was that?—A. That was before noon, I think; about eleven, I guess, or something like that.

Q. Did you go out?—A. No; we went to the door and had some talk there.

Q. With whom?—A. With a police officer and a detective; with the fellow that was guarding the door. We told him if he would leave four in, so we could keep check on them, we would serve.

Q. How many voting stalls did you have?—A. There was three.

Q. Three?—A. Yes, sir.

Q. How many people were allowed to come in there at a time before you made this kick?—A. Well, at one time I counted from where the door opened to the end of the table, nine standing close together.

Q. Now, after this agreement was made that they would allow but four in the polls at once, was the agreement kept?—A. No, sir; except by the detective that was there, O'Connell.

Q. Did they succeed in limiting the number of voters to four after that?—A. No, sir; he did.

Q. For how long?—A. When he was there. He was off and on.

Q. When he was not there was the police officer there?—A. Yes, sir.

Q. Did he succeed in limiting the number of voters to four?—A. No, sir.

Q. Did he make any attempt to do so?—A. No, sir.

Q. Was his attention called to the repeaters voting?—A. Dr. Dill said to the officer, "Will you arrest these three men, they have just been in here; I want those interested." The officer paid no attention, and Dr. Dill said, "I will see about this," but they voted.

Q. Had they voted there before?—A. Yes, sir.

Q. More than once?—A. Yes, sir.

Q. During what part of the day was repeating carried on there?—A. It started early and kept up late.

Q. Did you make protest many times against their being allowed to vote?—A. Yes, sir; I guess a dozen times or more.

Q. Did Dr. Dill also make such objections?—A. Yes, sir.

Q. How many times?—A. Oh, I guess more than I did, because I had the poll book and was busy.

Q. You say at one time there was 9 in the line that you remember, that voted?—A. Yes, sir.

Q. Were there any repeaters in that gang of 9?—A. Yes, sir.

Q. After they had voted where did they go? Leave the polling place?—A. Yes, sir.

Q. How long before they came back?—A. Well, they came in lots of 10, 12, and 15 from one precinct to another.

(Counsel for the contestee objects to above answer, unless witness will state that he knows, of his own knowledge, that they went from one precinct to another in blocks of 10 or 12.)

Q. After they had voted did they always leave the polling place before they returned to vote again?—A. If they didn't come right in again.

Q. For what?—A. If they didn't come back in again. I would stand up and say, "You are not coming in here again. Ain't we going to have some rest on this thing," and he would say, "You never have seen me. I have just come from work."

Q. As a matter of fact, had you ever seen him before?—A. Why, certainly.

Q. Why didn't you do something more than merely protest?—A. Well, I remembered the experience that Boehm, Judy, and Mull had.

Q. Where?—A. In the different polling places.

Q. What was that experience?—A. Well, it was a pretty rough experience.

Q. What kind of experience?—A. They were knocked down, as they call it, and thrown out.

Q. Knocked down and thrown out?—A. Yes, sir.

Q. Do you mean you were afraid they would assault you if you objected to the receipt of those ballots?—A. Yes, sir.

Q. Illegal ballots?—A. Yes, sir.

Q. At the close of the election were the returns made out and signed by the judges and clerks?—A. Yes, sir.

Q. And taken to the board of election commissioners?—A. Yes, sir.

Q. Did you sign those returns?—A. Yes, sir.

Q. Why?—A. Well—

Q. Did you believe them to be correct and honest returns?—A. No, sir.

Q. Why did you sign them?—A. Because I was a little bit afraid, you might say.

Q. Afraid of what?—A. Well, of getting hurt.

Q. Getting hurt?—A. Yes, sir.

Q. Do you mean you were afraid of being attacked?—A. Yes, sir.

Q. Beaten?—A. Yes, sir.

(Objected to as being suggestive.)

Q. Did you see any voters there that day voting on slips?—A. Very few. One I remember. I had the poll book like this, and he was standing aside of me. He had forgotten how to spell the name.

Q. What did he do when he had forgotten how to spell the name?—A. They found it on the books, and he voted.

Q. Voted?—A. Yes, sir.

Q. Did you hear any of the voters when asked their name give answer that they didn't know what the name was?—A. They couldn't spell it.

Cross-examination by Mr. WALSH:

Q. Where do you live?—A. 519 Morgan.

Q. I will ask you to look at the list which Mr. Richey has been referring to. That is offered in evidence in this case, isn't it, gentlemen?

Mr. RICHEY. It has not, but it will be done.

Mr. WALSH. Well, I protest now against the introduction of any evidence to which is attached the notary's signature which is not filed as an exhibit.

Mr. RICHEY. We will file that when the time comes.

Mr. WALSH. Well, I don't know when you will file it.

Mr. RICHEY. They belong to the notary when they are in here and he will take care of it.

Q. I will ask you to look at this list which the notary has placed his signature on, the number of the exhibit being unknown, which is marked "List of registered voters Fourth Ward, second precinct, October, 1902," and locate your name on that list.—

A. Is this official?

Q. I don't know; that is their exhibit. I don't know anything about it, if you can.—A. If it is official, and if I am clerk and—

Q. I don't care to argue that. Is your name there?—A. I am on Morgan street, 519. My judge is not on there.

Q. There are two names you know of not on that list?—A. Yes, sir.

Q. And in referring to the number of registered voters Mr. Richey has said that there were 411 regularly registered voters in the second precinct of the Fourth Ward. Your list has at least two names of regular voters which are not on the list, hasn't it?—A. Yes, sir.

Q. So that will possibly reduce the number, or, rather, increase the registration at these two, won't it?—A. Yes, sir.

Q. Now, do you know whether or not there are any other names absent from that list of regular qualified voters that should be on it?

Mr. RICHEY. Of your own knowledge?

Mr. WALSH. Yes. Listen to the prompting of Mr. Richey. Anything he didn't tell you in the other room he can tell you now.

(Question read.)

A. Rather few, I guess; not many.

Q. How many along in the 500 block on Morgan street—your neighbors?—A. One that is registered.

Q. You are the only one?—A. Yes, sir.

Q. And you live up over your factory?—A. No, sir; I have a place of my own.

Q. Your home?—A. Yes, where I live; I work there.

Q. And there are no other voters?—A. In the block, no, sir.

Q. Who is this judge whose name is missing? Where does he live?—A. 417 Morgan.

Q. 417 Morgan?—A. Yes, sir.

Q. Are there any other residents of 417 Morgan whose names are missing from there?—A. Yes.

Q. Who are they?—A. I don't know.

Q. You don't know? About how many?—A. I have no idea.

Q. Well, can you approximate?—A. I guess that is nearly correct. There are eight on there.

Q. Was he a Republican or Democratic judge?—A. Republican judge.

Q. What is his name?—A. Beasley.

Q. You know that these eight registered from 417 Morgan are correct?—A. I don't know that they are the persons, but there could be that many there.

Q. How do you know there were 488 ballots cast at the election held in your precinct November 4, 1902?—A. I kept the poll book.

Q. Well, you said first this morning there were 485?—A. I wasn't positive of the number; it was close to that.

Q. Are you positive now that there were 485, more or less?—A. Not exactly positive; it was about that.

Q. Had you been endeavoring to refresh your memory in any way this morning on that point?—A. No sir.

Q. You had not?—A. No, sir.

Q. You had no conversation with anyone as to what you were going to state

here?—A. We were out there, but he was interrupted so much, I couldn't get any chance to say anything.

Q. But you were having a little conference as to what you would state on the stand, weren't you?—A. A little; yes, sir.

Q. And in that little conversation, among other things, was the information that you were to stand on the fact that there were 40 persons registered from one house?—A. The list showed that.

Q. Yes; but I say you were informed that you must stand on that proposition?—A. No, sir.

Q. Weren't you?—A. No, sir; it was on the list.

Q. But weren't you told that you must stand on that proposition? Didn't you get that information this morning?—A. Yes, sir.

Q. Who told you to say that?—A. Mr. Richey, I suppose.

Q. Now, in your precinct, there was one police officer who induced the other election officials to allow only 4 to come in at one time?—A. Yes, sir.

Q. Now, isn't it a fact that when he was there, there were only 4 voters there to vote?—A. Oh, no, no.

Q. There were more?—A. Sometimes more.

Q. But he endeavored to keep order?—A. Yes; he done very good.

Q. Didn't the other officers endeavor to do the same thing?—A. No, sir.

Q. Who were the other officers who were there? What was their names?—A. I don't know.

Q. Did you ever see them before?—A. No, sir.

Q. Are they the men—oh, you have never seen them before?—A. No, sir; they are strangers to me.

Q. You said in your direct examination that the men who were voting repeatedly went in blocks of 10 and 12 from one precinct to another. How do you know that?—A. Because I was standing outside about half past 4—we had a little rest—and a man came along. I couldn't call his name. He said, "You will have some work to do pretty soon." I said, "How do you know?" and he said, "They are over there at the engine house." I knew from that they would be along in about five or ten minutes.

Q. Now, on that you found a statement that there was 10 or 12 men going from one precinct to another?—A. Yes, sir.

Q. Now, of your own personal knowledge, you don't know that a single individual at any other precinct than the one at which you were clerk, do you?—A. No, sir.

Q. So that that statement is founded on mere hearsay, from a stranger whose name you don't know?—A. Yes, sir.

Q. Are you acquainted with the parties or the political affiliation of the parties who control the fire department?—A. No, sir.

Q. Don't you know that the fire department is under Republican control?—A. Yes, sir.

Q. Are you acquainted with the conditions which existed prior to November 4, 1902, in the Republican party in St. Louis?—A. Yes, sir.

Q. Is it not a fact that there was considerable factional feeling existing in the party?—A. Yes, sir.

Q. Isn't it a fact that there were two distinct factions, or three, in the party?—A. Not after Loffhagen withdrew.

Q. Where did you learn that—"Not after Loffhagen withdrew?"—A. I saw his letter. He withdrew for the sake of harmony, as we call it.

Q. Where did you hear that?—A. Seen it in the Globe.

Q. Didn't you get that information this morning?—A. No, sir.

Q. Did you get that here yesterday?—A. No, sir.

Q. You have not been coached on that particular point, have you?—A. No, sir; no, sir.

Q. Isn't it a fact that there was in existence in this town in the Twelfth Congressional district three separate and distinct Republican clubs or factions which were headed by the Good Government Club, the Merchants' League Club, and the St. Louis Republican Club?—A. Yes, sir.

Q. Isn't it a fact that the city central committee was disrupted, and that some 15 members of the city central committee undertook to eject a number of the city central committeemen, something in excess of 20, and endeavored to reorganize the city central committee?—A. Yes, sir.

Q. Isn't it a fact that that created a good deal of bitterness and hard feeling among those who had been ejected?—A. I don't think so.

Q. Don't think so?—A. No, sir.

Q. What was the condition of those members who had been thrown out, as stated

in the press, in the St. Louis Star on one side, and the Globe-Democrat on the other?—A. Is the Star published here?

Q. Well, for your information I will say that the Star is suspected of being published in St. Louis.—A. Well, the reason I asked, I bought one once and they got my cent under false pretenses. I wanted to see if I could get the value back; I didn't get the value of the money.

Q. Did you sue them for the money?—A. I wanted to.

Q. Did you read the Globe-Democrat? Did you read the Globe-Democrat of December 21, of this year?—A. I read it most every day; I am not positive of the date.

Q. Did you read on that occasion that extraordinary conditions confronted the Republican party by reason of the fact that they had failed to get their nominations in within the legal time?—A. I don't remember that.

Q. Did you read the Globe-Democrat of October 5, last year?—A. I think so.

Q. Are you a regular subscriber to that periodical?—A. Yes, sir.

Mr. RICHEY. I want to make an objection to this as irrelevant and immaterial and having no bearing whatever on the issues involved in the case. This is brought in to extend the examination and deprive the contestant of the use of the time allotted for the taking of testimony in this case.

Mr. WALSH. In replying to Mr. Richey's statement, we will say that fifteen days was stated by him as being the time that would be amply sufficient for the purpose of taking these depositions, in face of the fact that the contestee stated that he desired the regular time to which he was entitled under the United States statute providing for such contests; it eventually resulted in the adoption of the resolution under which this contest is being held.

Mr. RICHEY. I make the same objection to giving a place on the record of the matter of which the gentleman has just delivered himself.

Mr. WALSH. In answer to that I will state that the objection was interposed by Mr. Richey, and ours is simply responsive to his irrelevant remark.

Q. Do you know anything about a meeting that was held by the Republican delegation of the Twelfth Congressional district at Chatsworth Hall, October 14 of this year?

(Above objection repeated.)

Mr. HOLTCAMP. I desire to ask the notary to caution the witness to testify to such matters as come within his personal knowledge.

Mr. BUTLER (the contestee). I would suggest that we have a perfect right to this evidence. This is cross-examination, as I understand it. The witness shows conclusively that he has a habit of forgetting and not remembering anything that is of interest to the contestee in this case, and we certainly have a right in this manner to refresh his memory.

Mr. HOLTCAMP. Oh, I didn't question that at all. I only asked him not to testify to anything he does not know.

Mr. WALSH. No; don't tell us anything you don't know.

The WITNESS. Do you refer to the convention? I was a delegate to the convention.

Q. Ah! you were a delegate to the convention?—A. Yes, sir.

Q. Now, what occurred at that Chatsworth Hall convention?

(Same objection.)

A. I went there as a delegate in support of Mr. Walbridge. They wrangled and wrangled and adjourned. I went home, and they had a convention after that that I don't know anything about. After that there was a call for us to meet on Pine street. I went out there again and renominated Mr. Loffhagen.

Q. When the convention adjourned at Chatsworth Hall, when did it adjourn to?—A. Adjourned to Monday.

Q. To Monday?—A. Yes, sir.

Q. That was a convention held under a regular call?—A. Regular call; yes, sir.

Q. Your convention adjourned until Monday and then met at the Merchants' League Club on Pine street, didn't it—the old University Club, west of Beaumont?—A. About 2700, isn't it?

Q. Yes.—A. I don't know the building; that is it, though; yes, sir.

Q. And at that convention how many delegates were present?—A. I can't say, positively.

Q. About how many?—A. I should say 40.

Q. How many delegates were there at the convention at Chatsworth Hall?—A. Three times that, I should judge. I ain't positive, of course.

Q. You think there were 120?—A. I think so.

Q. And how many were present, if you know, at the convention which nominated George D. Reynolds?—A. I went home. I know nothing about that.

Q. At the convention which met at the Merchants' League Club, on Pine street,

Captain Loffhagen was nominated for the long term for Congress, wasn't he?—A. Short, wasn't it?

Q. Well, was he nominated for anything; if so, what?—A. Yes, sir.

Q. What was he nominated for?—A. For Congress.

Q. For what term?—A. Now, I can't remember.

Q. Do you know whether or not any one else was nominated at that convention or by that convention?—A. That was all.

Q. Captain Loffhagen was the only person nominated at that convention?—A. Yes, sir.

Q. Did you ever attend any other Congressional convention for the purpose of nominating a nominee in the Republican party from the Twelfth Congressional district?—A. No, sir.

Q. To your knowledge was there any other candidate nominated for the Twelfth Congressional district by the Republican party in convention assembled, pursuant to a regularly legally instituted call?—A. Only those two, Wagoner and Loffhagen.

Q. Only Loffhagen and Wagoner?—A. Yes, sir.

Q. When was Wagoner nominated?—A. That afternoon, Saturday afternoon.

Q. Where?—A. At Seventeenth and Olive.

Q. Wagoner was nominated at Seventeenth and Olive on Saturday afternoon?—A. Yes, sir.

Q. At the same time that George D. Reynolds was nominated?—A. Oh, no. I wasn't there. I can't say that.

Q. When was Wagoner nominated?—A. I couldn't tell you.

Q. Do you know that he was nominated?—A. Yes, sir.

Q. Where?—A. That afternoon, wasn't it?

Q. I don't know—I was asking you.

Mr. HOLTCAMP. If you don't know, say so.

A. I don't know.

Q. Was he nominated at any convention you attended as a delegate?—A. No, sir.

By Mr. RICHEY:

Q. The factions you speak of as having existed among the Republicans of the Twelfth Congressional district were factions looking for the nomination of the different favorites as candidates for Congress, were they not?—A. Yes, sir.

Q. And before the election the factional fight was dropped?—A. Yes, sir.

Q. Entirely?—A. Yes; so far as I know.

Q. And the Republicans in the Twelfth district only had one candidate, Mr. Wagoner, for the short term for Congress, and only one candidate for the long term, Mr. Reynolds?—A. Yes, sir.

Q. Is that correct?—A. Yes, sir.

Q. And that is what you meant—

Mr. WALSH. We object to any statement made by Mr. Richey when the witness has already stated that he does not know of the nomination of Mr. Wagoner for any term; and also, this does not grow out of the cross-examination.

Q. When you speak of factions as existing in the Republican party you mean simply those before the election?—A. Yes, sir.

Q. With reference to the nominations of different favorites for the office of Congressman?—A. Yes, sir.

Q. And that is all you mean?—A. Yes, sir.

Q. How long have you lived at No. 519 Morgan street?—A. About two years.

Q. In answer to Mr. Walsh's question, you said I had told you to stand for the 40 names registered at 615 Franklin avenue on this official list that was shown you. All I did was to ask you to count the number of persons that were registered from that number on Franklin avenue.—A. Yes, sir.

Q. I didn't tell you what to say?—A. Oh, no.

Mr. BUTLER (the contestee). We object to the statement Mr. Richey makes in the question, characterizing this as the official list. It is not an official list. We may as well understand that right now.

Q. Isn't it true that in the talk you had with me, in giving me the information that you possess about this, that I did not give you any instructions whatsoever as to what you should say?—A. No, sir.

Q. I gave no such instructions, did I?—A. No, sir.

Q. Made no suggestions of that kind?—A. No, sir.

By Mr. WALSH:

Q. At the convention which nominated Mr. George D. Reynolds, what was the name of the chairman who presided?

(Objected to as irrelevant and immaterial, and asked for the evident purpose of filling the record and killing time.)

Q. What was the name of the chairman who presided?—A. I don't know, sir.

Q. Do you know John B. Owen?—A. That's the man.

Q. That's the man who presided?—A. Yes, sir; that's right.

Q. He was the one who put the motion on which the adjournment was made until Monday at 2 o'clock?—A. Yes, sir.

Mr. HOLTCAMP. Well, now, that isn't correct. Mr. Reynolds wasn't nominated at that convention at all.

Mr. WALSH. You are right. That is my mistake. I will correct that. There was no convention that nominated Mr. Reynolds; that is right; but the convention which you attended under the regular call was presided over by Mr. John B. Owen, and he put the motion to adjourn, on motion of Mr. Chris Schawaker.

A. I remember that name; yes, sir.

E. A. DILL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. You live at 810 North Broadway?—A. Yes, sir.

Q. In St. Louis?—A. Yes, sir.

Q. How long have you lived there?—A. About eight years.

Q. What is your business?—A. I am a dentist.

Q. How long have you lived in St. Louis?—A. About thirteen or fourteen years.

Q. You were judge of election in precinct two, Fourth Ward, at the Congressional election of November last?—A. Yes, sir.

Q. I will ask you if there was any repeating done?—A. Yes, sir.

Q. At that precinct on that day?—A. Yes, sir.

Q. About when did it begin?—A. About half past seven.

Q. In the morning?—A. Yes, sir.

Q. How long did it last?—A. Until we closed up at night; there was some of them still standing outside trying to get in, then.

Q. Did it continue all day long?—A. Yes, sir.

Q. Did you notice it at the time and protest against it?—A. I did nothing else but protest all day long.

Q. To whom did you protest?—A. To the voters and the police.

Q. To the voters and the police?—A. Yes, sir.

Q. Was there a policeman in the polling place?—A. Yes, sir; one stood at the door, and then part of the time a detective was inside.

Q. Who was the officer that stood at the door?—A. I don't know; he was a stranger to me.

Q. He was a stranger to that locality and that beat?—A. Yes, sir; there was another officer outside, too, on the street.

Q. One on the outside?—A. Yes, sir.

Q. Was he a stranger to that beat?—A. No, sir; Officer King.

Q. That was his regular beat there?—A. He was in the neighborhood; has been there some time.

Q. But the officer who was at the door—about the polls, immediately about the polls—was a stranger to that locality?—A. Yes, sir; I never saw him before.

Q. Now, what was done with your protest, made to the other judges of election and to the police, as you have stated?—A. Some of them I got fired out, and others I couldn't; some of them got in.

Q. Did you ask that any of the repeaters should be ejected?—A. Yes; and they were ejected, a good many of them, after they came in there a number of times.

Q. What?—A. After they came in a number of times.

Q. What do you mean by coming in a number of times? Voting a number of times?—A. No; coming into the polling place.

Q. Just tell us in your own way what occurred there, Doctor.—A. There was one continuous fight all day long with them.

Q. With whom?—A. With the repeaters.

Q. Who fought them?—A. I did.

Q. Who else?—A. Yarrington.

Q. The Republican clerk?—A. And Beasley.

Q. Beasley was the Republican judge?—A. Yes, sir. When a fellow came in a number of times, the Democratic judge would ask me if they were in before. I said "Yes;" then he would say, "Get out of here!"

Q. About what was the limit which the Democratic election officials fixed on the number of times a man could vote there?—A. Well, when I called him down too often, then they kicked.

Q. Did you see anyone come there to vote using slips?—A. Yes, sir.

Q. What did they use slips for?—A. So they would know their names, I suppose.

Q. They would look on the slip?—A. Yes; they would look at it to find out their names; they would come in there and forget it.

Q. Did you hear any of the voters comment on the fact that they had forgotten?—A. They would give their name as "Jack," sometimes, and other times the clerk looked it up and there was no "Jack," and they would call themselves "Tom" or such name like that; forgot his name. And then some of them didn't know where they lived; some of them that would come and do it that way.

Q. How many stalls or polling booths were there at that polling place?—A. Three.

Q. How many people crowded in there to vote at a time?—A. As many as could crowd in—as could get in the door.

Q. How many did that amount to?—A. Oh, sometimes in one crowd we had about fifteen.

Q. Was there any protest made about such crowding?—A. Yes, sir.

Q. Who made it?—A. I did.

Q. To whom?—A. To the officer at the door.

Q. What was the result?—A. I told him not to let in more than four at a time, so he did; only let in four at a time, but the place kept getting full; instead of letting only four in a time, he would leave four in in a bunch.

Q. How often was that done?—A. Clear up—all day long, you might say, except when the detective was there; he kept them down pretty well.

Q. Did you ask the officer to arrest any of the repeaters?—A. Yes, sir.

Q. Were any of them arrested?—A. No, sir.

Q. After the election were you called before the grand jury or before the circuit attorney to tell what you knew about the election outrages at that precinct?—A. No, sir.

Q. What action did you take, say, about 12 o'clock of that day, with reference to the crowds coming in?—A. I protested all the time; the crowds was in all day long—practically all day.

Q. Do you remember throwing down the books—the poll books and the lists there?—A. Yes, sir.

Q. When was that done?—A. That was along about noon.

Q. Who did that?—A. Yarrington and myself.

Q. What for?—A. The whole thing was a farce.

Q. What was?—A. The election; there was no election at all; just the same fellows voting all the time.

Q. Did you refuse to go back and take up the books again?—A. Yes, sir.

Q. What induced you finally to go back and continue?—A. The detective told us he would leave no more than four in if we would continue.

Q. And were more than four let in after that?—A. Yes, sir.

Q. After the repeaters had voted, did they always pass out of the polling place before they voted again?—A. Not always; no, sir.

Q. What did they do?—A. Came to the—came up again; didn't even change clothes, a good many of them.

Q. How many men did you see that day voting on slips, or on names that appeared on slips?—A. I only saw one with a slip that day; on registration day I saw quite a number.

Q. What connection did you have with the registration in the precinct?—A. I was judge.

Q. You were judge?—A. Yes, sir.

Q. What was it you saw on registration day?—A. I went out—when I went out to supper I met Mr. Yarrington down at the corner of Sixth and Wash, and while we stopped there a minute or so there must have been 8 or 10 fellows singly came along reading from names on a slip; I walked behind one of them; he had a slip about two inches wide and three inches long, with the names on it; they were going right on down to the polls to register.

Q. Did you follow him down?—A. I followed down; yes, sir.

Q. How many slips of that kind did you see?—A. Oh, must have been 12 or 15.

Cross-examination by Mr. WALSH:

Q. You say during that day you saw 12 or 15 slips. What day was it you saw them?—A. That was on registration day.

Q. You didn't see that on the 4th of November?—A. No, sir; only saw the one on the 4th.

Q. You are a great personal friend of Mr. Robert Walker, aren't you?—A. No, sir; I know who he is, that is all.

Q. Meet him frequently?—A. No, sir.

Q. Don't you know him in a business way?—No, sir.

Q. Do you know who he is?—A. I know who he is when I see him; that is all.

Q. Do you know what his official position is?—A. He was a judge; justice of the peace.

Q. For the district?—A. That is how I know him.

Q. For the district in which you are located?—A. Yes, sir.

Q. Did you see him around there on election day?—A. I did not.

Q. Do you know whether those names on the slips you saw were registered?—A. No, sir.

Q. You don't know whether they were ever registered anywhere, or not?—A. No, sir.

Q. You don't know whether they were used for registration purposes or not, do you?—A. No, sir; not positively. They were there with the slips in the polling place.

Q. You saw them go into the polling place?—A. Yes, sir.

Q. You were a judge in there?—A. I was judge in there. I was out going to supper when I saw the slips and I followed them.

Q. Did you go into the polling place?—A. Yes, sir.

Q. Did you make any protest against their registering?—A. Yes, sir.

Q. Did you see whether or not they registered the names that were on the slips?—A. I couldn't read the names on the slips.

Q. How did you know what was on the slips?—A. I just saw there was a name on the slip by walking up behind him and looking over his shoulder.

Q. Of ten or fifteen men?—A. No, I didn't look over the shoulders of that many; but I guess there was twelve or fifteen. I saw them going along with the slips in their hands, like this [indicating].

Q. Where were they going?—A. Coming from Sixth and Franklin around to 614 I think it is, Wash.

Q. Where at Sixth and Franklin?—A. Right at the corner.

Q. Which corner?—A. At the northwest corner.

Q. What is there?—A. A saloon.

Q. Whose saloon?—A. Cuddy Mack's, they call it.

Q. What is his correct name?—A. Gillicuddy.

Q. McGillicuddy?—A. Yes, sir.

Q. Was he a candidate for office at that election?—A. Yes, sir.

Q. Have you ever been arrested, Doctor?—A. I was under arrest once.

Q. What was it for?—A. Why, shooting a man.

Q. Shooting a man?—A. Yes, sir.

Q. Kill him?—A. Yes, sir.

Q. He died?—A. Yes, sir.

Q. Were you ever tried for it?—A. No, sir; only before the coroner's jury.

Q. Tried before the coroner's jury?—A. Yes, sir.

Q. There was no warrant sworn out?—A. No, sir.

Q. And you never were indicted?—A. No, sir.

Q. How long ago was that?—A. That has been six years ago.

Q. That was during the Republican administration of city affairs, wasn't it?—A. I don't know anything about that; I guess it was. Dr. Otto Sutter was at the—

Q. He was city coroner?—A. No, sir; he was at the city hospital.

Q. What was the name of the coroner, Doctor Wait?—A. I believe so.

Q. And what was the name of the prosecuting attorney or assistant prosecuting attorney at that time?—A. I don't know.

Q. Was it R. M. Johnson?—A. No, sir.

Q. Col. Dick Johnson?—A. I don't know that. I suppose it was, because he had been in there a long time.

Q. Was Harry Clover prosecuting attorney?—A. I don't know that.

Q. Wasn't Theodore Eggers circuit attorney?—A. I don't know.

Q. You know these men I have mentioned?—A. I know that they are men in the city; I don't know what their politics are, or who they were; whether they were in office or not.

Q. What was the name of the man you shot?—A. Seaman.

Q. Where did you shoot him?—A. In my office.

Q. What was the nature of the difficulty?—A. He was crazy and fired on me, and I shot him.

Q. Something growing out of attentions to a woman?—A. No, sir; there was no woman in it at all.

Q. Were you familiar with the condition of affairs existing in the city in connection with the Twelfth Congressional district prior to last November?—A. No, sir.

Q. Do you read the papers?—A. Yes, sir.

Q. What papers do you read?

(Objected to as irrelevant and immaterial.)

A. I read the Republic.

Q. Do you read the Globe-Democrat?—A. Occasionally.

Q. You are not a regular subscriber to those papers?—A. To the Republic.

Q. Were you familiar with the condition that existed with reference to the factional feeling?—A. No, sir.

Q. Did you read in the Republic on October 2 that the Kerens-Ziegenhein crowd denounced G. F. Reynolds?—A. No, sir.

(Objection renewed.)

A. I don't remember it; I hardly ever pick up politics—read the papers. I read the news, the other news.

Q. Did you learn anything about the factional feeling which existed prior to the—A. No, sir; I don't know anything about any factional affairs at all.

Q. Do you know of the existence in this town of three political clubs of Republican affiliations, known as the Good Government Club, the Merchants' League Club, and the St. Louis Republican Club?—A. I have heard of the two; I don't know as I ever heard of the St. Louis Republican Club.

Q. You don't know that you ever heard of the St. Louis Republican Club?—A. I pay no attention to politics.

Q. Are you a member of any political organization, Doctor?—A. No, sir.

Q. Have you ever been a precinct clerk or committeeman before?—A. Never was; this is the first time I was ever mixed up in politics.

Q. This is the first time you officiated in any capacity?—A. Yes, sir; it'll be the last one, too.

Q. Have you been a Republican all your lifetime?—A. Partially so. I voted for some Democrats and I voted for some Republicans; as many Democrats as Republicans.

Q. Did you do that at the last election?—A. No, sir.

Q. Voted the straight Republican ballot?—A. No, sir.

Q. Do you know Mr. George C. R. Wagoner?—A. Yes, sir.

Q. Do you know what, if any, office he was running for at the last election?—A. Running for the short term in Congress.

Q. Do you know Mr. E. H. Loffhagen?—A. No, sir.

Q. Do you know whether he was a candidate for any office at the last election?—A. No, sir.

Q. Do you know Mr. George D. Reynolds?—A. No, sir.

Q. Do you know whether he was a candidate for any office at the last election?—A. Yes; he was on the ticket.

Q. Do you know what he was a candidate for?—A. Yes; for Congress, the long term.

By Mr. RICHEY:

Q. On the investigation by the coroner of the shooting of the man Seaman it was found that you were entirely without blame in the matter?—A. Yes, sir.

Q. And you were exonerated and discharged?—A. Yes, sir.

Q. You were not indicted or arrested subsequently?—A. No, sir.

Q. No prosecution?—A. No prosecution; no, sir.

Q. You were completely exonerated?—A. Yes, sir; self-defense.

At this point, 1.30 p. m., a recess was taken until 2.30 o'clock this afternoon.

2 o'clock P. M.

JOHN RALPH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is John Ralph?—A. Yes, sir.

Q. You live at 920 North Ninth street, in the city of St. Louis?—A. Yes, sir.

Q. You were clerk of precinct No. 4 of the Fourth Ward?—A. Yes, sir.

Q. At the election of November 4 and during the registration prior thereto?—A. Yes, sir.

Q. Do you know how many names there were on the registration list in that precinct?—A. I think there was 367, if I am not mistaken.

Q. Did you attempt to verify the registration list in that precinct, as required by law, some days prior to the election?—A. Yes, sir.

Q. How did you do that?—A. I canvassed the ward; went from house to house and asked if the people lived there.

Q. Did you canvass, for example, No. 410 North Seventh street?—A. No, sir.

Q. Did you canvass, for example, 823 North Sixth street?—A. Yes, sir.

Q. Do you know how many voters were registered from that number?—A. I don't remember; no, sir.

Q. Do you remember the house?—A. Yes, sir.

Q. How large is the house?—A. Three-story building.

Q. What is the first story used for?—A. Stores.

Q. And what is the second and third story used for?—A. Rooms.

Q. How many rooms are there?—A. Well, they are divided up into stalls like.

Q. How many rooms are there?—A. Well, I don't know exactly how many there are.

Q. How did you present the names there to ascertain if the people lived at that house?—A. We asked the clerk, and he told us a good many lived there; looked over our books, and said some were at work and he didn't remember all of them.

Q. But he did remember some of them?—A. Well, a good majority of them.

Q. What was done with the names he did not remember?—A. Well, we decided to leave them on there.

Q. What proportion of the entire number of voters registered at that house was it that the clerk did not know whether they lived there or not?

Mr. WALSH. We object to the form of this question—as to the proportion. The question is properly put asking the witness exactly how many were allowed to remain, or how many were stricken off, would be regular and proper. We object to this form.

Mr. RICHEY. He has already said there were none stricken off.

Q. How many was it, do you think?—A. Well, there was three houses on that block; that I just don't remember which one it was; three large rooming houses on that block.

Q. Were there as many as 48 names registered from that house?—A. I don't remember.

Q. If there were, were they allowed to stand, notwithstanding that the clerk of the place did not know whether the man lived there or not?—A. Well, we asked him and he said yes, he thought they lived there, and the majority of them were on the books. It seemed that he was not the regular clerk—just taking charge of it.

Q. Then the board of revision left the names there registered from that house, whether they found that the men actually lived in the premises or not?—A. Yes, sir; except four or five of them.

Q. Four or five of the 48?—A. Yes, sir; whatever there were.

Q. Was that same sort of procedure had at other houses in that precinct?—A. Yes, sir.

Q. At 801 North Sixth street, where 24 appeared to be registered, what did you do with the names there?—A. That was a rooming house, and we went up there and inquired.

Q. Of whom?—A. I don't know who it was—the clerk. We asked if certain parties lived there and he said yes.

Q. You read off the names?—A. Yes, sir.

Q. And he said that every name that you read lived there?—A. Yes, sir.

Q. Was that true of all the other places in the precinct?—A. It was just at that one building where the clerk told us. I don't remember where that was.

Q. Who told you at 801 that the men lived there?—A. The clerk, I think; that was on the corner. I remember that place.

Q. He said they all lived there?—A. Yes, sir.

Q. Did you try him by giving fictitious names?—A. No, sir.

Q. Do you know the premises 612 Franklin avenue?—A. Yes, sir.

Q. Did you make a trial there to see whether the men registered there actually lived there?—A. Yes, sir.

Q. Do you know how many men were registered there?—A. I don't remember.

Q. Who owns the house, or who runs it?—A. I don't know. I don't remember.

Q. Whom did you see and inquire of at that number?—A. I think it was a lady come to the door there.

Q. Did you just present the names and ask if those people lived there?—A. Yes, sir.

Q. She said those people, every one of them, lived there?—A. Yes, sir.

Q. Do you know how many rooms there were there?—A. No; I don't remember.

Q. Do you know the premises 619 Morgan street?—A. Yes, sir.

Q. Where there was 16 men registered?—A. Yes, sir.

Q. Did you inquire as to the identity of the men there?—A. Just asked the names and whether they lived there.

Q. Of whom did you ask?—A. I don't remember.

Q. Did you give all the names?—A. I asked if a certain party lived there and read off the names.

Q. Did you ask how many men lived there?—A. No, sir.

Q. Didn't make that inquiry anywhere?—A. No, sir.

Q. And you don't know whether 16 men actually lived at 619 Morgan street or not?—A. That is a large house. I don't remember.

Q. You never did know, did you?—A. No.

Q. You did not know exactly how many lived on the premises 823 North Sixth street, did you?—A. Only from the names. We asked if they lived there, and that is all we need.

Q. You say you think there was how many registered voters in that precinct?—

A. I think it was 367.

Q. Now, don't you know that of the total number of voters registered at that place 201 of them are registered at 16 houses?—A. That might be.

Q. And still you made no inquiry, except to simply ask whether or not these men lived there, giving the names?—A. That is all we was told to do; yes, sir.

Cross-examination by Mr. WALSH:

Q. Mr. Ralph, in making these inquiries you followed out what you believed to be the law, did you?—A. Yes, sir.

Q. You did not consider that you had any right to go in there and go through the house to discover whether or not persons were in there, if the person in charge stated to you that they were?—A. No, sir; didn't think it was my duty to do it.

Q. Do you read the St. Louis papers?—A. Yes, sir; most of them.

Q. Did you recently see a notice in the papers to the effect that a man was going around representing himself as an insurance agent, going through houses and stealing?—A. Yes, sir.

(Objected to as irrelevant and immaterial and intended both to kill time and occupy space in the record.)

Q. Do you read the Globe-Democrat?—A. Sometimes; yes, sir.

Q. Are you familiar with the conditions which existed in the Republican party prior to November 4, 1902?—A. Never read politics. No, sir; never read of it.

Q. Do you know whether or not Mr. E. C. Loffhagen was a candidate for any office at the last election held November 4, 1902?—A. I do not; no, sir.

Q. Do you know whether Mr. George C. R. Wagoner was a candidate at that election?—A. I know he was running for Congress.

Q. From what district?—A. Twelfth district.

Q. Do you know whether or not Mr. George D. Reynolds was a candidate for any office?—A. No, sir.

SAMUEL P. SHULTZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Samuel P. Shultz?—A. Yes, sir.

Q. You live at 515 St. Charles street in the city of St. Louis?—A. Yes, sir.

Q. And were a judge of election in precinct 3 of the Fourth Ward at the last election on November 4?—A. Yes, sir.

Q. Do you remember the occurrences at your precinct on election day?—A. Yes, sir.

Q. Who was the other judge on behalf of the Republican party?—A. Fred Meyer.

Q. Who was the clerk?—A. Harry Walker.

Q. Are you familiar with some of the occurrences in that precinct on registration day?—A. Some of them I do remember, yes, sir; some of them I saw.

Q. Can you tell us what you saw on that day?—A. Oh, they came; registered as often as they pleased.

Q. Where was the registration place?—A. 613 Market street.

Q. Who was it that came and registered as often as they pleased?—A. I couldn't tell you. I don't know a single face of them except one or two from the Planters.

Q. Well, were they men purporting to be voters?—A. Yes, sir.

Q. How did they come, singly or in bunches?—A. Sometimes one at a time, sometimes two or three. The majority of times they came in bunches at intervals.

Q. How many in a bunch ordinarily?—A. Some ten or twelve, once or twice about fifteen.

Q. Did any of them come more than once?—A. Yes, sir.

Q. Did any of them come more than twice?—A. Well, some of them came three or four times.

Q. Who had the registration books at that time?—A. I believe I had one and McCormack had the other.

Q. He was the Democratic judge?—A. Yes, sir.

Q. Do you know where the men registered from who came in bunches and reregistered as you have stated? From what houses they purported to come?—A. I remember some of the names; yes, sir.

Q. State them.—A. The Imperial and the Ivy.

Q. Is the Imperial a hotel?—A. Yes, sir.

Q. Whereabouts is it?—A. I believe on Chestnut, if I am not mistaken; between Fifth and Sixth—I think so. I think it is the corner of Fifth, if I am not mistaken.

Q. Do you know about how many registered from the Imperial Hotel?—A. I don't remember, sir.

Q. Name some other place from which they came in droves?—A. The Ivy and the Silver.

Q. Where is the Ivy House?—A. It is somewhere on Sixth street. I don't remember the exact block. I believe it is on Seventh street, if I am not mistaken. I think it is.

Q. Do you know how many registered from there?—A. I do not, sir.

Q. Do you know the premises 410 Seventh street?—A. 410? No, sir.

Q. Did you make any protest or take any steps to prevent this false registration?—A. I tried to; yes, sir.

Q. How did you try? What did you do?—A. Tried by remonstrating with the Democratic judges and clerks. Of course I couldn't prove that they were not voters, and I couldn't positively swear, although I knew their faces and that they had registered before, yet all my talk would do no good—they registered.

Q. In other words, no attention was paid to your protest?—A. No, sir; not a particle.

Q. That registration day, or the day of the revision, was what day of the week?—A. I believe it should have been Thursday or Friday, or Friday or Saturday; I forgot, exactly.

Q. Did you take any part in the work at that time?—A. No, sir; Mr. Walker and Mr. McCormack agreed to meet me the next morning at 10 o'clock at the Barnum Hotel. But they didn't come. I was there.

Mr. WALSH. Do you know that?—A. I was there; yes, sir.

Q. What morning was that that you were to meet at that place?—A. Friday morning.

Q. Who came to the meeting?—A. Mr. Walker was there; that is all the men I saw.

Q. Mr. McCormack, the Democratic clerk, was not there?—A. No, sir; he was not. We waited until 12, and he didn't come, and finally I went away.

Q. Was either of the Democratic judges there?—A. No, sir.

Q. Was that registration revised?—A. Well, I didn't know anything until I got a notice on Saturday evening late to come up before the election commissioners Sunday morning at 11 o'clock.

Q. Tell what took place there?—A. Judge McCaffrey first upbraided Mr. Walker.

Q. What did he say?—A. Well, he threatened to have him arrested, and put him in jail for not attending to his business. He remarked that I was ready and was waiting for the Democratic clerk and he didn't come, and then he called up Mr. Democratic Clerk, and he was pretty chock full, and they give him a terrible setting out; he was drunk—in plain language—and finally McCaffrey told him, "You go right out now and do what you can and be back here at 2 o'clock," which he did.

Q. Who was it that was drunk?—A. Mr. McCormack.

Q. Thomas McCormack; he was the Democratic clerk?—A. Yes, sir.

Q. At 2 o'clock what happened?—A. Well, we sat down, and I had one registry book and Mr. Murphy had the other book.

Q. He was the Democratic judge?—A. Yes, sir.

Q. Proceed.—A. They agreed to scratch a certain amount of names, and they started first, I believe, from 701 North Sixth street.

Q. Scratched them from the registration books?—A. Yes, sir. After wrangling for some time they agreed to scratch the amount which they did, or which I did. I must have scratched a little over a hundred, I think, as near as I can remember.

Q. That is, you scratched off over a hundred names?—A. Yes, sir.

Q. How did you determine what names should be scratched off?—A. They determined that among themselves, and I don't know anything about it.

Q. You don't know how they hit upon the names that you had stricken off?—A. No, sir.

Q. Proceed.—A. While scratching off I sat with three men at the table, and Mr. Murphy sat opposite on the other side, on the other end of the table, and Mr. Walker

sat almost next to me, and we agreed upon the names I scratched, and finally I heard Walker say to Mr. Murphy, "Why don't you scratch?" He said, "I did scratch." And Walker says, "Well, you can't scratch without dipping your pen in the ink."

Q. In other words, you were bona fide scratching the names that were read off to be scratched?—A. Yes, I scratched mine honestly.

Q. And Murphy, the Democratic judge, had no ink on his pen, and wasn't scratching off the names that he was pretending to scratch?—A. Yes, sir.

Mr. WALSH. We object to Mr. Richey testifying. He is not under oath.

Mr. RICHEY. Proceed.

The WITNESS. Well, that is all. We quit then, at about twenty minutes to 7 on Sunday evening.

Q. That was the Sunday before election?—A. Before the election; yes, sir.

Q. Were you at the polls when they opened on election day?—A. Yes, sir; I was there before 6 o'clock.

Q. Was there any repeating done at that precinct that day?—A. Yes, sir.

Q. When did it begin?—A. It seemed to commence pretty early, about half past 7, and lasted a little time, and then started in again at about 11 o'clock.

Q. How long did it last?—A. Oh, probably an hour or so, and then it slacked up until the noon hour, and then it started up again good and heavy about 4 o'clock.

Q. How long did it continue, then?—A. From 4 o'clock until we quit.

Q. Was the repeating done there extensive or otherwise?—A. Well, I should call it very extensive.

Q. Did you see the people voting there more than once?—A. Yes, sir.

Q. How many?—A. Oh, sometimes a whole bunch voted—from 10 to 15, or from 8 to 15.

Q. That had already voted?—A. Yes, sir.

Q. Was there any of them that voted the third time?—A. Well, I suppose some of them voted four, five, or six times, as near as my eye could detect them, because it kept me pretty busy.

Q. Do you know who they were?—A. No, I do not, sir.

Q. Do you know the names of those that voted?—A. I couldn't remember, sir.

Q. Were the votes numbered?—A. I believe they were all numbered; yes, sir.

Q. Were they initialed?—A. I think they were; yes, sir.

Q. Is there any way by which you could examine those ballots and find out what of those ballots had been cast by repeaters?—A. No, sir; I could not.

Q. Could anyone do that?—A. Not that I know of.

Q. Is there anything or was there anything about the ballots that were so cast by repeaters by which those ballots could be identified?—A. No, sir. They were all marked in the regular way, sir, and put in against our objections and repeated objections, and they all went in.

Q. Who made the repeated objections?—A. Myself and Mr. Walker, and also Mr. Meyer. Judge Meyer, in fact, got so sick and tired of the job that at 1 o'clock he left us, and says, "Gentlemen, you can have it all," and he left and went up to the election commissioner's office, and about half past 2 or 3 Mr. Aloe came down with a new man.

Q. So that the returns there were not signed by Mr. F. P. Meyer as one of the judges, although he had acted for part of the day?—A. No, sir; they were not signed by him, unless he signed them while I was away.

Q. Was he there when the ballot boxes were opened and the ballots counted?—A. Mr. Meyer? No, sir.

Q. Were you?—A. Yes, sir; a portion of the time while they were sorted, and I left. I was there during a portion of the count.

Q. Were the returns signed by you?—A. No, sir; they were not.

Q. Were they ever signed by you?—A. No, sir.

Q. Why did you refuse to sign them, or did you refuse to sign them?—A. I did refuse to sign them. I walked away; I left.

Q. Why did you refuse to sign them?—A. Because I didn't think it was straight.

Q. What do you mean by that?—A. Well, they were not deserving of an honest signature for verification of the votes, because they were not honest votes.

Q. Do you know what the number of votes was that were cast for Mr. Butler at that precinct?—A. I don't remember. I remember the count came to about 100 and something, and I left.

Q. You left before the count was concluded?—A. Yes, sir; because I made up my mind not to sign any book, and so I left, which was about the easiest way to get out of it.

Q. Why did you leave before the count was concluded?—A. Well, I left for the

reason that I had made up my mind that I wouldn't sign, and I knew we would have trouble, multiplying words and arguments, and it would probably turn out very serious.

Q. What do you mean by that?—A. Well, probably in a fight and a knock-down argument, something like that; and in order to avoid that I left a little before 9 o'clock.

Q. How did you get away?—A. I walked out.

Q. Did you announce the fact that you were going away?—A. I don't remember the exact terms that I used. I told them, "I am going off."

Q. How often were protests made against receiving the votes of repeaters?—A. Oh, probably a dozen times or more.

Q. To whom?—A. Democratic judges.

Q. To anyone else?—A. Well, we appealed to the officers that were inside.

Q. How many officers were there on the inside?—A. Oh, sometimes one, sometimes three or four, I believe.

Q. What attention was paid to those protests by the Democratic judges?—A. Not a thing. They said, "Put in the vote, his name is on the book; put in the vote." Mr. Snake Kinney came in with a bunch.

Q. A bunch of what, ballots or votes?—A. Voters.

Q. Proceed.—A. And I objected, and so did Mr. Walker, and in fact I told them the way the thing was going on I would close the book and they could have it all. Snake Kinney made the remark to one of the judges who took the tickets—I forgot the name, a short name—"You ain't going to be bulldozed by those * * *. The gentleman's name is on the book and, by God, it has got to go in." I told Kinney he ought not to use such language, and that the name would probably fit him but that it would not apply to an outsider, and I didn't think fit very well, and I gave him a piece of my mind in a very gentle way. I didn't speak harshly to him, as I didn't want to get into a fuss.

Q. Did the bunch vote or not?—A. They voted; yes.

Q. Had any of them been there before that day and voted?—A. Yes, sir.

Q. Do you know whether Harry Walker, the Republican clerk, signed the returns or not?—A. I do not, sir; I never asked him. I met him frequently since, but I never asked him.

Q. State any other fact that you know with reference to the election on that day.—A. Well, I remember two particular cases, and I remember the names only because I knew them both. One of them was a man who attempted to vote under the name of Parris Wolff, a clerk at Justice Spauldings, and his name was scratched for the reason that he had changed his residence, and a tall young fellow came in and wanted to vote the name of Parris Wolff. I looked at him, and Walker first objected, and he insisted that his name was Parris Wolff, and I says, "Your name ain't Parris Wolff; that name is scratched on my book for change of residence. I have known Parris Wolff for years," and he walked out. On another occasion a man came in about dusk, when we had commenced to light the lights—must have been 5 o'clock or later, as it was dark—and he attempted to vote under the name of Walter H. McIntyre. I knew Mr. McIntyre and we hunted up Mr. McIntyre's name, and I looked up at him after we had hunted up the name in the meantime, and finally Walker says to him, "Did you say your name was Walter H. McIntyre?" And he said, "No, McIntry." And I asked where he lived and he said he had forgotten the street, and I says then, "McIntry, you can't vote," and about that time Mr. Kinsella, one of the grand jurors, happened to come in. He came in and heard the argument, and then Snake Kinney took the man and says, "Let us go out, I will prove to the * * *, by God, that your name is McIntry," and he took him out and says, "We will bring in Kid Sheridan, he knows him."

Q. Who is Kid Sheridan?—A. He used to be a member of the house of delegates for a while.

Mr. RICHEY. That is enough; go on.

The WITNESS. Then they couldn't find Mr. Sheridan and they never came back. That is the last I saw of Mr. McIntry.

Q. These are the only facts that you now recall?—A. Those are the only two names that I do remember, because I knew the men; I knew the people.

Cross-examination by Mr. WALSH:

Q. What is your business, Mr. Walsh?—A. Wholesale cigars.

Q. Do you live at 515 St. Charles street?—A. Yes, sir.

Q. Where is your place of business?—A. Same place, sir.

Q. Do you occupy the entire building?—A. No, sir; I wish I did. I have got three rooms—one sleeping room, one office, and one stock room.

Q. Did you use any printed list on the 4th day of November?—A. Did I use any printed list? No, sir.

Q. Was there any printed list there purporting to be a printed list of voters registered in the Fourth Ward, third precinct?—A. No, sir; I didn't see any.

Q. You said in answer to a question by Mr. Richey that the returns were not signed by P. F. Meyer, the Republican judge?—A. Yes, sir.

Q. Do you know that to be a fact?—A. I couldn't swear to it, but I know he went away that night.

Q. You don't know whether he signed the returns or not?—A. I don't think he could sign them very well, because he wasn't there the whole day. He was there only half a day and he had no right to sign it, and from that I judged that he did not sign them.

Q. Do you know who did sign the returns other than Meyer?—A. I presume the new Republican judge might have signed them, but I don't know that he did—the one that Mr. Aloe brought down.

Q. Do you know who did sign?—A. I don't know anything about it; I left a little before 9.

Q. Mr. Aloe is an election commissioner?—A. Yes, sir.

Q. The Republican election commissioner?—A. I suppose so.

Q. Don't you know?—A. Only what I heard.

Q. Well, what did you hear?—A. That is the Republican election commissioner.

Q. So from what you hear Mr. Aloe is the Republican election commissioner?—A. Yes, sir.

Q. You get that information the same as you get most of your information, don't you?—A. Some information I have personally, and some I don't, just by hearsay.

Q. The most of your information is from mere hearsay?—A. Not by a good deal, sir.

Q. Do you know where P. F. Meyer lives?—A. At the Hotel Barnum.

Q. How long did he live there?—I couldn't tell you, sir.

Q. You are pretty well acquainted around there, aren't you?—A. Yes, I am.

Q. Is Meyer living there now?—A. I don't know, sir; I suppose he is, unless he is out on the road. He is a traveling man.

Q. Isn't it a fact that Meyer lives in a flat somewhere in the West End?—A. If he does I don't know it, sir. I know his family was in New York for a spell; whether they are there or not I don't know.

Q. For a spell?—A. Yes, sir.

Q. What do you mean by that?—A. Well, I don't know how long a term I could call it. I heard they were in New York.

Q. About how long?—A. I couldn't tell you, sir.

Q. One week?—A. Whether one day or one week, I couldn't tell you. I couldn't answer that, only what I heard.

Q. You are a personal friend of Mr. Robert Walker's, aren't you?—A. Yes, sir; I am a friend; not say personal, but I am friendly. We are neighbors.

Q. You feel very warmly toward him?—A. I do; yes, sir.

Q. Bob Walker has the reputation of being a good fellow, and is generally liked among Republicans and Democrats together?—A. I never mix with anybody, sir. Don't go any place.

Q. He is a man that is very generally liked, and his friends are very ardent supporters of him?—A. I don't know anything about what his friends think of him. I know my opinion; that is all.

Q. Don't you know they were making very strenuous efforts to elect Robert Walker, or to reelect him to his position as justice of the peace?—A. Not of my own knowledge. I presume they did, but I don't know anything about it, for I never mix in politics.

Q. You have never been mixed up with politics?—A. Never; no, sir.

Q. How did you come to be appointed a Republican judge?—A. I suppose through Robert Walker.

Q. Did he ever talk to you about it?—A. He told me; yes, sir. I got a notice one morning from the election commissioners when I came from breakfast, and I met Bob Walker on the sidewalk, and I says, "Bob, what does this mean; they don't know me up there;" and he said, "Well, I put you on, and I hope you will serve;" and I says, "I don't want to do it; I have got no time to spare; besides, I haven't anything to do with politics;" and he says, "Do me the favor to serve, and accept the position;" and I says "All right, I will do it;" but I never was out at night, and I never asked anybody to vote for him. That was out of my line of business.

Q. The place where McCormack and Walker arranged to meet was the Hotel Barnum?—A. Yes, sir.

Q. Now, for the purpose of meeting there, it was not a place that it would inconvenience Mr. H. Walker to go to, would it?—A. No, sir; it would not.

Q. He lives right there?—A. He lives there; yes, sir.

Q. So that his showing up there was simply in the nature of his being there to attend to his regular duties in the hotel, wasn't it?—A. I suppose so.

Q. Well, you know that to be a fact, don't you?—A. Well, it is a fact to a certain extent.

Q. Well, to every extent; he is a clerk there from 6 o'clock a. m. till 6 o'clock p. m.?—A. Yes, sir; that is right.

Q. And he is there at night, he lives there?—A. Yes, sir.

Q. That is his home?—A. Yes, sir.

Q. You say you waited till 12 o'clock the day that they agreed to meet?—A. Didn't wait steady until 12; I was there off and on every hour or so.

Q. From what time?—A. Oh, about 10 o'clock.

Q. You were there every hour from 10 to 12?—A. Yes, sir; I was there two or three times during that period.

Q. During the two or three hours that intervened you were there?—A. About a couple of hours; if I had occasion to pass there I stepped in, when I passed I looked in and says, "Harry, is McCormack here?" and he would say, "No," and I walked away again; I did that probably two or three times during the intervening two hours.

Q. You say Friday was revision day?—A. I believe it was Friday; either Thursday and Friday or Friday and Saturday—I forgot which.

Q. Now you stated that 10 or 12 and sometimes 15 in a bunch came in to register?—A. Yes, sir.

Q. Did you know any of those who came in to register?—A. No, sir; I did not.

Q. You are not very well acquainted over in that section, are you?—A. Not in that particular locality, I am not; no, sir.

Q. You are not very well acquainted in the precinct at all, are you?—A. In my neighborhood I am pretty well acquainted; I have lived there 26 years.

Q. Around where you are?—A. Yes; lived in the block pretty near 26 years.

Q. And you don't know where the Imperial Hotel is?—A. That is at the corner of Sixth and Chestnut. There are lots of new buildings going up nowadays. You might ask me where the Chemical Building is, and probably on the spur of the moment I could not tell you; but it is at Eighth and Olive streets, though I maybe couldn't say on the spur of the moment.

Q. Do you know where the Silver House is?—A. I believe it is on Seventh street.

Q. That is your impression?—A. Yes, sir.

Q. It is in the precinct?—A. That may be, and I can find it probably; I have passed by that building hundreds of times, I suppose.

Q. And the Ivy House; you don't know where that is positively?—A. I think it is on Sixth street.

Q. That is your impression?—A. Yes.

Q. Yet in spite of your twenty-six years' residence in that precinct you are not positive where either of those hotels are?—A. No; I am not in the habit of visiting those hotels.

Q. What kind of hotels are they?—A. Well, they are rooming houses with bunks, at 10 cents and 15 cents a night.

Q. And they are houses where people are packed like sardines in a box, aren't they?—A. I couldn't tell you as to that.

Q. That is your information, isn't it?—A. That may be; I don't know how they bunk them.

Q. What do you mean when you say you are not in the habit of visiting those kind of houses? They are not immoral houses, are they?—A. I hope not.

Q. You understand them to be quarters where laboring people and poor people can get beds for 10 cents and 15 cents a night?—A. Yes, sir.

Q. That is what you know them to be?—A. Yes, sir.

Q. And they are houses in which it is a notorious fact that the people sleep in bunks arranged in tiers; isn't that a fact?—A. I don't know anything about it.

Q. Well, that is a notorious fact?—A. I never heard of it.

Q. What did you mean when you said you never visited that kind of a house?—A. Because the sign is enough to a man's eye—"Beds, 10 and 15 cents, with baths for guests only." Guests of that sort don't need any baths, I don't think.

Q. That is the kind of people that room in these houses?—A. I suppose so; yes, sir.

Q. And the whole precinct, and in fact the whole ward, is full of just such places?—A. Not to my knowledge; it is business houses. I know one lodging house at Pine

and Olive; I forgot that name, even; that is a nice house; the Mona House; that is a decent house.

Q. The Mona?—A. Yes; and there are other nice places, but I don't remember their names; I don't pay any attention to them, and don't know where they are; I know their names.

Q. Do you know where the Cozy House is?—A. No, sir; it is a new one on me.

Q. Do you know where the Lindell Hotel is?—A. Yes, sir.

Q. That is one of the first-class houses you refer to?—A. Sometimes, but not as first-class as the Southern; but it is a first-class hotel.

Q. In which traveling men live?—A. Traveling men and gentlemen anywhere.

Q. Do you know where the Swan House is?—A. I know of the house, but I do not know where it is located exactly.

Q. Now, don't you know it to be a fact that this entire ward is honeycombed with houses of that particular kind, classed as laboring men's hotels?—A. I know there is a good many of those houses in existence; I don't know exactly the locations.

Q. Do you know where the Globe Hotel is?—A. I do not.

Q. The Elmo?—A. I do not; no.

Q. Do you know where the Princeton is?—A. On Sixth street, I believe.

Q. Do you know where the Hotel Junior is?—A. Yes; on Sixth and Lucas avenue.

Q. Do you know where the Alma Hotel is?—A. I do not, sir.

Q. Do you know where the Silver House is?—A. I think it is on Seventh street.

Q. Do you know where the Pilgrim Hotel is?—A. Yes, sir; on Chestnut street, I think.

Q. Do you know where the St. Louis Hotel is?—A. Yes; on Fourth and Locust.

Q. Do you know where the Grand Hotel is?—A. I do not, sir.

Q. Do you know where the Home Hotel is?—A. No, sir.

Q. Well, isn't that over here on Market street?—A. I don't know where it is, sir.

Q. Do you know where the Rillings Hotel is?—A. Yes, sir.

Q. Where is it?—A. Seventh and Walnut, I think. The reason I know that is because I sell Dave Rilling cigars.

Q. Now, don't you know that all those hotels that I have mentioned, with but one or two exceptions, are hotels of the character you speak of, where the poorer people lodge by the night?—A. Supposed to be; yes, sir.

Q. And where some of them stop, and are permanent lodgers?—A. You can't prove that by me.

Q. Well, but isn't that the general reputation of most of those hotels that I have mentioned?—A. To tell you my candid opinion, a man that has got money enough to pay for a room never will stop at those hotels.

Q. Exactly; and the people who stop there are people of no means; people who have practically nothing in the world but their vote?—A. Yes, if they are entitled to that; they have sometimes more than one vote.

Q. You stated that a man by the name of Kinney was in the polling place?—A. Yes, sir.

Q. What Kinney was that?—A. "Snake" Kinney is all the name I know. I don't know whether Mike or Tom. I don't know his front name.

Q. Who is he?—A. I believe he was a member of the house of delegates once.

Q. And you referred to Mr. "Kid" Sheridan?—A. Yes.

Q. Do you know whether or not Mr. Kinney or any relatives of his was a candidate for office?—A. Yes; I heard his brother was a candidate for constable, I believe.

Q. And his interest in the polling place was in connection with his brother, wasn't it?—A. I suppose so; yes.

Q. Do you know who the gentleman you refer to as "Kid" Sheridan is?—A. "Kid" Sheridan had nothing to say to anybody; didn't interfere in any shape or manner.

Q. He simply stepped in and asked how things were going?—A. Yes, sir; sometimes would step in and say, "Good day, boys; how goes it?" and step out; never had much to say.

Q. Sheridan was a member of the house of delegates?—A. Yes.

Q. He was contemporaneous with Mr. Tambllyn and some others?—A. I don't know anything about that. Ask Mr. Folk about that and he will tell you all about it.

Q. Who is Walter H. McIntyre?—A. Well, I used to know him for years; I don't know what he is doing now; didn't see him in the last two or three years.

Q. He is not the attorney?—A. No; I know Walter H. McIntyre very well; he isn't Walter McIntyre, the attorney.

Q. Do you know where Walter H. McIntyre, the one you refer to, lives?—A. I don't remember, sir.

Q. Do you know where he did live?—A. No, sir.

Q. Who was this man who come in that you stated wanted to vote under the name of Walter H. McIntyre?—A. I forgot his right name. He was arrested the next day after, but I forgot it; he was a tall young man.

Q. Do you know him?—A. I might know him if I saw him again, probably.

Q. Was W. H. McIntyre's name on your registration book? Did you look over your book to see whether it was there or not?—A. I don't remember now; I believe it was either scratched or voted; I don't remember now; I forgot the exact circumstances.

Not being able to complete the taking of said depositions this day by reason of the absence of witnesses, I hereby adjourn the further taking of the same until to-morrow, December 20, at 10 o'clock a. m.

ST. LOUIS, MO., *December 20, 1902.*

Pursuant to adjournment as above stated on this 20th day of December, A. D. 1902, at 10.30 a. m., I continued the taking of said depositions as follows:

LOUIS JAMES HOESLI, of lawful age, being produced, sworn, and examined on behalf of the contestant, depose and saith as follows:

Direct examination by Mr. RICHEY:

Q. Where do you live?—A. No. 2016 Market street.

Mr. ROWE. We object to the witness testifying, because no notice has been given to the contestee that any such witness would be examined.

Q. Your name is Louis J. Hoesli?—A. Yes, sir.

Q. Where do you live?—A. No. 2016 Market street.

Q. You were a judge of election on November 4 last in precinct 4 of the Fourteenth Ward?—A. Yes, sir.

Q. What is your business?—A. I am a driver; teamster.

Q. How old are you?—A. Thirty-nine.

Q. Do you know the premises 2136 Walnut street?—A. Yes, sir.

Q. Is that number in your precinct?—A. Yes, sir.

Q. What sort of a place is it?—A. Well, it is a soda-water factory now; it used to be Crawford's feed stable at one time.

Q. What business, if any, was carried on there on the 4th of November, election day?—A. Well, all the names from that house—

Q. What business was carried on there?—A. At that time?

Q. Yes, sir.—A. Soda-water business.

Q. Where do you say you live?—A. 2016 Market street.

Q. How far is that from 2136 Walnut?—A. Well, I live about a block and a half; two blocks, maybe.

Q. Are you well acquainted with the premises 2136 Walnut street?—A. Yes, sir.

Q. Are there any bedrooms there, or were there election time?—A. No, not that I know of.

Q. Do you know who lived there at that time?—A. Yes, sir.

Q. Who was it?—A. Ben Rosenthal.

Q. Do you know whether anyone else lived there?—A. No, sir.

Q. Do you mean that you don't know, or that there was anyone else lived there?—A. There was no one else living there so far as I know, at the present time, only Ben Rosenthal.

Q. How long have you lived at your present place of residence?—A. Well, I lived there at 2016 Market about eight years; I have lived in the neighborhood about twenty-nine years altogether.

Q. Are you well acquainted around there?—A. Well acquainted; yes, sir.

Q. Do you know Gundelach?—A. Yes, sir.

Q. Does he live at 2136 Walnut?—A. Yes, sir; he runs a hardware store on Market street.

Q. Does he live at 2136 Walnut, and did he live there on November 4?—A. Not that I know of; I don't think he did. That is another Gundelach I am speaking of; that is a hardware man on Market; that Gundelach that you speak of I don't know whether he lives there or not.

Q. No one lived there but Ben Rosenthal, that you seen and from your own personal knowledge?—A. Well, I am speaking from what Ben Rosenthal told me himself, that nobody lived in the house at that time, only him.

Q. When were you through the premises 2136 Walnut? When did you see them last?—A. The last time I seen them was Sunday before election.

Q. Were you in the house?—A. No, sir; I was on the outside.

Q. How many stories to the house?—A. Well, two stories. Got a stable downstairs, and a soda-water place, and he lived upstairs.

Q. How many people lived upstairs; anyone except Ben Rosenthal's family?—A. That is the only one, so far as I know, that he told me.

Q. Do you know how many rooms there are upstairs?—A. No, sir; I do not.

Q. Do you know any other place in addition to 2136 where people were registered from and voted at that election without living at the places where they were registered from?—A. No, sir.

Q. Do you know how many were registered at the premises 2136 Walnut street at the last election?—A. They were all registered, so far as I know.

Q. Well, how many, if you know?—A. Well, about 22, I guess.

Mr. Rowe. I object to that on the ground that it is a matter of computation from the registration lists, which is better than the statement of opinion of the witness.

Q. Was there any repeating done to your knowledge at that precinct?

(Objected to as asking for the conclusion and opinion of the witness. The only way to determine whether repeating was done would be by statings of any person who had voted more than once.)

Q. What is your answer?—A. Yes, sir; there was some repeating done from that house.

Q. From what house?—A. No. 2136 Walnut.

Q. Do you know the name of any person who voted more than once?—A. No, sir; I do not.

Q. Do you know whether or not any person voted at that precinct that day in the name of any person or the name of a fictitious person?—A. No, sir; I do not.

Q. Were there any protests made at that precinct against repeating?—A. Yes, sir.

Q. Who made the protest?—A. I did.

Q. How many protests did you make?—A. About seven or eight.

Q. To whom did you make them?—A. To the voters.

Q. And to anyone else?—A. Well, I challenged his vote, and the other two judges stood there and voted against me, and the other judge didn't say nothing.

Q. What two judges voted against you?—A. The two Democratic judges. They said the man's name was on the books, and he was entitled to vote.

Q. Was there any officer inside the polling place?—A. Not at that time.

Q. Did you make any complaint to the officer at any time about repeating?—A. Well, not at that time exactly. Another time I did. I says for an officer to stay in the polls.

Q. Was that done?—A. After that it was done; yes.

Q. Did you make any protest against repeating after the officer came?—A. Well, there was nothing done then after the officer came.

Q. Do you know the name of any person who voted more than once there?—A. No, sir; I do not.

Q. Do you know the name of any person that voted on the name of another person, or a fictitious name?—A. No, sir.

Q. How many persons that you know of voted more than once at that precinct?—A. I don't know of any.

Q. Were the returns signed for that precinct?—A. Yes, sir.

Q. When?—A. They were signed that night, about 1 o'clock, I guess.

Q. In your opinion, was the election at that precinct honest, and no one allowed to vote except those who were legally entitled to vote?—A. Yes, all was straight so far.

Cross-examination by Mr. Rowe:

Q. You were one of the judges of election there, were you?—A. Yes, sir.

Q. You were a Republican?—A. Yes, sir.

Q. And appointed as one of the Republican judges of election?—A. Yes, sir.

Q. How long had you been a Republican?—A. All my life; ever since I was 21 and able to vote.

Q. You don't know of any illegal vote that was cast there at that election, do you?—A. One from 2136 Walnut street, when according to that man's statement he was the only man that lived in the house.

Q. Do you know whether Henry Gmndelach voted at that election?—A. I couldn't tell you that. I didn't have the book.

Q. You don't know of your own knowledge, do you, of any illegal or fraudulent vote having been cast at that election?—A. No, sir; only from that number there. We took that man's word; he said nobody lived in that house only himself.

Q. When you signed the returns as a judge of election you believed that the election was an honest and a fair election, did you not?—A. Yes; I did at that time.

Q. And you wouldn't have consented to any man's voting if you did not believe him to have been an honest voter, would you?—A. No, sir; I would not.

Q. You understood your duties there as a judge of election?—A. Yes, sir.

Q. Now, you say that you had made objection to some votes that were cast?—A. Yes, sir; I did.

Q. Do you recollect the particular vote that you objected to as being fraudulent?—A. No, sir; I couldn't pronounce the name now, but the matter was determined by a majority of the judges against my protest.

Q. And the vote was taken and counted?—A. The vote was taken and counted.

Q. You don't know of your own personal knowledge that the party that you objected to was a fraudulent voter, do you?—A. No, sir; not at that time. No, sir; only according to that statement.

Q. You simply suspected that that was not a proper voter and wanted to make assurance doubly sure, and to be certain that none but legal and competent and proper voters had voted you objected to his name?—A. Yes, sir; I did.

Q. And the other judges overruled your objection?—A. They did.

Q. Now, how many different persons that you objected to voted altogether that whole day?—A. Well, about five I guess; five or six.

Q. You have lived in the ward and in that precinct for seven years, I understand?—A. Yes, sir.

Q. And you are generally familiar with the voters of the precinct?—A. Not all of them.

Q. No, of course; but you are pretty well acquainted in the whole precinct?—A. Yes; pretty well acquainted.

Q. You mean you have personal acquaintance with them and you know the people residing around there by sight, and know the persons generally living in the neighborhood?—A. Yes, sir.

H. COHNER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is H. Cohner?—A. Yes, sir.

Q. You reside at 2029 Market street?—A. Yes, sir.

Q. And you were a clerk at precinct 4 of Ward 14 at the last election?—A. Yes, sir.

Q. What did you have to do, if anything, with the revision of the registration in the fourth precinct of the Fourteenth Ward?—A. What had I to do with it?

Q. Yes; did you go around and assist in making the revision?—A. Yes, sir.

Q. Do you know the premises 2136 Walnut street?—A. Yes, sir.

Q. You went there as a clerk to revise the registration?—A. Yes, sir.

Q. How many names were on the book of persons that it was pretended lived at that number?—A. Only about 22 names was in the book.

Q. Did you go to 2136 Walnut street to make inquiry?—A. Yes.

Q. Do you know who lives there and who the proprietor is?—A. The proprietor is Mr. Ben Rosenthal.

Q. When was it that you went to see Mr. Rosenthal?—A. It was on the first day of the canvassing; the second day after the registration.

Q. The second day of the revision?—A. The second of the registration.

Q. When you were going over the registration books to get them in shape for the election of November 4?—A. Yes; I went around canvassing.

Q. Did you see Rosenthal and tell him about the 22 names that were registered from his house?—A. Yes, sir.

Q. What did he say?—A. He says nobody was living there but himself; him and his family.

Q. Did his family include any male member other than himself?—A. Not as I know of; I don't think so.

Q. Well, what did you do when he told you that?—A. Well, I marked them in the book.

Q. In the registration book that you had?—A. Yes, sir.

Q. How did you mark them?—A. I just put a mark on it.

Q. Showing what?—A. Showing that they are not living there.

Q. Then what did you do with the book?—A. Then I took that book—in the revision there I had that book along.

Q. What did you do with the names?—A. Well, I showed the names to the judges of the revising board and I says, "Well, the names are not living there."

Q. What did they do then?—A. Well, they don't want to scratch them off; they left them on the book.

Q. They left them on the book?—A. Yes, sir.

Q. After you told them those 21 men did not live there?—A. Yes; then I sent them a notice through the mail, but I made one mistake; instead of the 18th I made a mistake and put on the 17th; that was on a Friday, and it was on Saturday. I sent these 21 names notice through the mail; they did not show up.

Q. No one responded?—A. No, sir.

Q. Not one of the 21 registered, to say that they lived at that number or were entitled to vote there?—A. No, sir.

Q. In addition to showing the names to the judges of elections in that precinct, did you show them to the board of election commissioners, or any member thereof?—A. No, sir.

Q. On election day, how many of those 22 people registered at 2136 Walnut street voted?—A. Oh, I expect there was between 19 and 20; I don't think all of them voted. I know Rosenthal himself did not vote, and I guess there was 19 or 20.

Q. There was 19 or 20 voters that voted from 2136 Walnut street?—A. Yes, sir.

Q. Did you know any of the voters that voted under the names registered from that number?—A. No, sir; I didn't know none of them.

Q. You were simply a clerk of the election?—A. Yes, sir.

Q. Now, when the votes were counted that night after the polls were closed, were the votes from 2136 Walnut street included in that count?—A. Yes, sir.

Q. And in the returns?—A. In the returns also.

Cross-examination by Mr. ROWE:

Q. You were a clerk at the election there, were you?—A. Yes.

Q. Did you sign the returns?—A. I did, sir.

Q. Before you became a clerk you had subscribed to the oath to the effect that you would well and truly and faithfully and honestly discharge your duties as clerk?—A. Yes.

Q. You were one of the Republican clerks of the election?—A. Yes, sir.

Q. Did any person vote under the name of Henry Gundelach from 2136 Walnut street?—A. Well, I don't recollect the name that was voted, but I guess it was voted.

Q. I ain't asking you for a guess; I'm asking, do you know whether anybody voted under the name of Henry Gundelach, from 2136 Walnut street?—A. I guess his name was voted.

Q. I ain't asking you about any guess; do you know it?—A. I don't know that just that name was voted, but I know a good many names was voted from that place; I don't know exactly whether Henry Gundelach.

Q. When Henry Gundelach appeared, did you make any objection or protest to his voting?—A. I only was clerk, and I don't think I had a right to protest against any man voting. I just was clerk in the election.

Q. You didn't challenge his vote, did you?—A. No, sir; I did not.

Q. You said something about making a mistake in sending out that notice; what was that mistake that you made?—A. In the date of the revising day.

Q. You sent them a notice to come around on a date when the judges and clerks were not revising the registration, didn't you?—A. Yes, sir; it was the day previous. That is where I made that mistake.

Q. So if those parties had come around on the day previous for the purpose of showing that they were properly registered, you didn't know anything about it, did you?—A. No; I didn't know it, except I found out they were not living there.

Q. You never gave them any notice to come around on any registration day?—A. No, sir.

Q. For the purpose of having it determined whether they were properly registered or not, did you?—A. No, sir; not for registration day.

Q. Now, Randy Mitchell; did you know him?—A. I don't know him.

Q. Do you know whether he voted?—A. No, sir.

Q. Ed. McPeet, do you know him?—A. No; I don't know him.

Q. You don't know McPeet?—A. No, sir.

Q. Don't know whether he voted or not, do you?—A. I don't know whether he voted or not.

Q. Do you know Pat Maloney or "Pet" Maloney?—A. No, sir; I don't know none of them.

Q. Don't know whether he voted or not?—A. I don't know if he did or not.

Q. Do you know Joseph Miller that resided at 2136?—A. No, sir.

Q. Do you know whether he voted or not?—A. No, sir; because I don't know him. I don't know if he voted or not; I can't tell.

Q. Do you know Phelps?—A. No, sir.

Q. Do you know whether he voted or not?—A. I don't know if it was himself or not, because I don't know him.

- Q. Do you know Michel—commonly called Michael Gwynne?—A. No.
- Q. Did he vote or not?—A. Not as I know.
- Q. Do you know John Rogers?—A. No, sir; I didn't know any of them.
- Q. You knew Ben Rosenthal, though?—A. Yes, sir; I know Rosenthal himself.
- Q. He voted, didn't he?—A. No, sir; he did not.
- Q. Didn't he vote, too?—A. No, sir.
- Q. Did anybody vote for Ben?—A. No, sir.
- Q. Did anybody vote in Ben's name?—A. No, sir.
- Q. Do you know James Smith of 2136 Walnut?—A. No, sir.
- Q. Do you know whether anybody voted for him or not?—A. No; I don't know whether he voted or whether somebody else voted for him.
- Q. Do you know Vail?—A. No, sir.
- Q. Do you know whether anybody voted for him?—A. No, sir.
- Q. Do you know Henry Wilson?—A. No, sir.
- Q. Do you know Tony Williams?—A. No, sir.
- Q. Do you know James Wilson?—A. No, sir.
- Q. Do you know Harry Young?—A. No, sir.
- Q. Do you know Michael Dunn?—A. No, sir.
- Q. Do you know John Crawley?—A. No, sir.
- Q. Do you know John Davey?—A. No, sir.
- Q. Do you know Jerry M. Owens?—A. No, sir.
- Q. Do you know Richard Andel?—A. No.
- Q. Do you know whether any one of these voted at that election?—A. I don't know personally, whether any of them voted or not.
- Q. You are just guessing?—A. They was voted, because the book shows.
- Q. Can you recollect the appearance of any one party there receiving a ballot and casting a ballot at that election—do you recollect anyone of those parties appearing there and calling for a ballot and giving his name and having a ballot cast?—A. I believe it is the duty of the judge, if a man comes in and wants to vote, to find whether the name is in the book or not. The clerks have only got to put the names down.
- Q. I am asking you if you can recall any one of those particular parties up there that voted and cast a ballot? If you can, indicate the person.—A. No, sir.
- Q. Now, if James Smith called there and said that he lived at 2136, and you heard him make that announcement, would not you as a clerk of the election have challenged his vote, if you did not believe that it was a legal and proper vote?—A. Well, I haven't challenged none of their votes.
- Q. And you never gave any notice at any time to any of these parties to appear before the judges of election on a day of registration for the purpose of showing whether they were properly and legally registered or not, did you?—A. On registration day?
- Q. Yes, or any revision day?—A. On revision day; but on registration day I don't think it is necessary to send out a notice.
- Q. Well, on any revision day.—A. On revision day, yes; and that is just where I made a mistake and dated the notice Saturday instead of Friday; that is what I stated here.
- Q. And of course those parties not having received the notice to be around on revision day, why they couldn't have it revised, could they? They wouldn't know when to come to have it revised?—A. Yes, that's right; but I expect they would know when the revision day was.
- Q. You guess they knew that?—A. Oh, I guess they knowed it.
- Q. When you were sworn in as an election officer down there you thought the oath was properly administered to you, didn't you? You believed in the form of that oath that was administered?—A. Yes; certainly.

JOHN BROWN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

- Q. Your name is John Brown?—A. Yes, sir.
- Q. You live at 1311 Chouteau avenue?—A. Yes, sir.
- Q. You were a clerk of election in precinct eight of the Sixth Ward, in the election of the present year?—A. Yes, sir.
- Q. You revised the registration books for that precinct?—A. Yes, sir.
- Q. How did you make that revision?—A. Without any trouble at all.
- Mr. ROWE. I desire to object to the testimony of John Brown, who resides at 1311 Chouteau avenue, because his testimony can not be taken under the notice of December 20, 1902, because that notice provides for taking the testimony before either one

of the two notaries, the notaries therein named being Eugene Bruder and J. T. Sanders.

Q. What did you do in ascertaining whether or not the persons that appeared on your registration list actually lived at any particular place? As, for example, in the registration list of the eighth precinct of the Sixth Ward there are 15 persons registered at No. 1329 Chouteau avenue. Now, when you took your registration list and went there to find out whether those persons lived there, what did you do?—A. Why, I asked the proprietor what he meant by having those few names in there if they did not live there. Well, he says he don't know how they got on the books, and I says, "Well, I will have to scratch them."

Q. Did you ask him whether H. P. Gaffney lived there?—A. I knew he did live there, but he had died, and I told him that I would have to scratch him.

Q. Then H. P. Gaffney did not live at 1329 Chouteau avenue at that time, or on the 4th day of November?—A. No, sir; he was dead.

Q. John Riddle appears at 1329 Chouteau avenue; did he live there on election day?—A. No, sir.

Q. The name David Beard appears registered from that same number. Did he live there on election day?—A. No, sir.

Q. And you found that John Riddle didn't live there, David Beard did not live there, and H. P. Gaffney was dead and could not vote; that is, he could not vote himself. What did you do with those names on that list?—A. Scratched them.

Q. Now, on the revision day you presented your list to the judges for that precinct?—A. Yes, sir.

Q. And were these names scratched or marked—these three that I have mentioned?—A. They were; they were scratched on the verification book. There was a check opposite them that we scratched, and if they were all right we had a different mark.

Q. That is the way you scratched them—by making a check opposite their names?—A. Yes, sir.

Q. I will ask you to look at this list of the registered voters of the eighth precinct of the Sixth Ward and state whether you see H. P. Gaffney on that list registered from 1329 Chouteau avenue.

Mr. ROWE. I object to that question for this reason: That it was beyond the power under the law for the judge, or any other person, to scratch the name of any person upon the mere report of a clerk that the party did not reside at the place from which he was registered; and further, that the list that the witness is looking at is not the registration list.

The WITNESS. He was registered, but he was scratched; he had registered two years ago and did not register at this election.

Q. Is that name on this list to which I call your attention?—A. Yes, sir.

Q. Is the name of John Riddle also on this list, registered from the same number?—A. Yes, sir.

Q. And is the name of David Beard also on this list, registered from the same number?—A. Yes, sir.

Q. When you went from house to house with these lists of names—some of them very long lists as living at one number—you simply read off your list to the person that responded to your call at the house, and asked if they lived there?—A. Yes, sir; called every name and each name.

Q. And then if they said they did, you accepted that as being truthful and allowed these names to rest on your list unscratched or unmarked?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. Do you know whether H. P. Gaffney voted at the last election?—A. He did not, sir.

Q. That is H. P. Gaffney, No. 1329 Chouteau avenue?—A. Yes, sir.

Q. Did John Riddle vote?—A. I can't say.

Q. Did David Beard vote?—A. I can't say.

Q. You don't know anything about that?—A. No, sir.

Q. You were one of the clerks of election there?—A. Yes, sir.

Q. You endeavored to honestly and fairly to discharge your duty as such?—A. Yes, sir.

Q. Were you a Republican in politics?—A. Yes, sir.

Q. How long have you been a member of the Republican party?—A. All my life.

Q. And you endeavored to fairly and honestly to discharge your duties as such officer?—A. Yes, sir.

Q. At whose instance were you appointed, do you know, a clerk of election?—A. I couldn't say.

Q. Do you know John B. Owens?—A. No, sir. I met him on election day; that is the only time I ever met Owens. He came up to the polling place.

Q. You signed the returns as clerk?—A. Yes, sir.

OTTO RADDATZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Otto Raddatz?—A. Yes, sir.

Q. You live at 18 North Twelfth street?—A. Yes, sir.

Q. You were clerk of the election on November 4 in precinct seven of the Fifth Ward?—A. Yes, sir.

Mr. ROWE. I desire to object to the testimony of Mr. Raddatz, who resides at 18 North Twelfth street, for the same reason that I objected to the testimony of the previous witness, Mr. John Brown.

Q. How long have you lived at 18 North Twelfth street?—A. About nine years.

Q. Are you well acquainted in the seventh precinct among the voters?—A. No, sir.

Q. Did you conduct the work of revising the registration in that precinct or assist in conducting it?—A. Yes, sir.

Q. Did you go from house to house to investigate whether or not persons appearing on the registration list actually lived at the places where they were named on the list that was in your possession at that time?—A. That is what we did.

Q. How was that work conducted? For example, when you went to 811 Market street, where there are 45 persons whose names appear on the registration list, how did you test the integrity of the list?—A. If I remember right that house is kept by a lady.

Q. Yes; do you know her name?—A. No; I am not acquainted there at all. We went up and waited until we seen the lady, and she says that there are so many people rooming there off and on that she did not know their names, and to go in the next room and look over the list. Well, we went in there and we couldn't make it out.

Q. Couldn't make what out?—A. We couldn't make the names out, and so we asked her according to the list that we had of the names, and she said those people were all there.

Q. She first told you there were so many names and so many people going and coming that she couldn't tell, and you would have to go into the other room and look at the list?—A. Yes; she even made the remark that there was one man that she knew by three different names, and so, of course, she couldn't give us the right names of the people that were living there.

Q. Did she tell you what that man was?—A. No, she did not; she said she couldn't remember.

Q. But she knew one man was there under three different names?—A. One man was there under three different names; yes, sir.

Q. Did you go into the other room and look at the list of names?—A. We went into that room where she directed us, and there was a little yellow book there, but such scribbling we couldn't make head or tail of it; and so the Democratic clerk, he read off the names and she admitted that they were there.

Q. Although at first she said she couldn't tell, and did not remember, and didn't know their names, but knew there was one man there under three different names, yet when the Democratic revising clerk read off a list of names in her presence, she said the owners of those names resided there?—A. I think he struck off several of them from that house—from 811—which she said wasn't there, but that the majority was living there.

Q. Do you know whether the 45 names that now appear on this list were those that remained after some had been stricken off, or do they include those that had been stricken off?—A. Well, that is more than I can say.

Q. You can't tell?—A. No.

Q. Do you know the premises 813 Market street?—A. Yes, sir.

Q. How did you inquire there as to the correctness and integrity of the registration list?—A. I think 813 is a saloon. Of course I don't know for sure, but it seems to me, if I remember right, that it was, and we seen the man, and he admitted that everyone of them was living there.

Q. That is, that there were 37 voters living there?—A. Yes, sir.

Q. What man was it that you saw?—A. The man that keeps the house.

Q. Did he tell you they lived there, or did you make the statement to him as to the names, and then did he say that the owners of the names live there? In other words, did you give him the list or did he give you the list of people who lived there?—A. Well, uniformly, I believe we did ask him.

Q. Asked him what?—A. About the names.

Q. That is, you asked him, for example, whether Fred Stanley and Charles Thompson, and so through the 37 names, lived there, and he said yes?—A. I believe that is what we did.

Q. Was that what you did with reference to the 25 names registered from 1013 Market street?—A. We met a man right in the door.

Q. Who was he?—A. I can't remember those names, because I am not acquainted with them at all.

Q. Were you acquainted with the man you met at the door?—A. No, sir; but the Democratic clerk was, and he greeted him when he seen him.

Q. Do you know that the man was the proprietor of 1013?—A. No; he said he was living there.

Q. But he was not the proprietor?—A. No, no; I know the proprietor.

Q. You didn't see him?—A. No, because he had moved. That is Mike Howard. That is Mike Howard's old place.

Q. That is, it is a saloon?—A. It used to be.

Q. What is it now?—A. Well, it is a fruit stand and a vegetable market.

Q. How was the first floor occupied? By this vegetable market and fruit stand?—A. Well, they were not in at that time. That saloon was closed at the time that we made the revision.

Q. Well, you made your revision in October of this year?—A. Yes, sir; right two days after the registration.

Q. Then the first floor was not occupied at all?—A. I can't tell you that, because this man, as I tell you, was right in front of the door when we came, and the Democratic clerk greeted him, being known with him, and he asked him about the several names that were on the list, and he admitted that they were there, with the exception of about 10 or 12 of them, which he struck off.

Q. And left 25 on?—A. Yes, I guess so.

Q. How many stories high is that building?—A. I think it is three stories.

Q. About how many feet front?—A. Twenty-five or thirty.

Q. And how deep is it?—A. I can't tell you; I believe it goes right to the line.

Q. How deep would that make it, about?—About 125 feet, judging from Eleventh street on, when you see it.

Q. Now the first floor had been used for saloon purposes when it was occupied, and was all in one room?—A. Yes, sir; but I have never been in that building.

Q. So that the 25 persons registered from there must have lived in the second and third stories?—A. The second and third floor.

Q. You didn't know that this man that was there waiting when you and the Democratic clerk came up lived at that place, except as that man told you so?—A. Yes, sir.

Q. That is right, isn't it?—A. Yes; but I don't remember the name, else I would give it to you.

Q. Now at 110 North Eleventh street, there are 15 that were registered there. What efforts did you make to find out whether or not those 15 were all living at that number?—A. We seen the landlady there. That is all right. I am pretty well acquainted right there.

Q. And she told you that those names were all right?—A. Oh, yes.

Q. Was that the sort of procedure that you went through at all the different numbers in that precinct?—A. That is the way we done it.

Q. Do you know J. Percival Adams, a lawyer of this city?—A. Yes, sir; very well.

Q. Do you know where he lives?—A. I understand that he lives on Kossuth avenue. That is what I heard.

Q. In what part of the city is that?—A. Northern part. He has got his office on Chestnut street.

Q. Whereabouts on Chestnut street?—A. Between Tenth and Eleventh.

Q. Is his place of residence or his place of business, his office, in the seventh precinct of the Fifth Ward; that is, in your precinct?—A. His office is.

Q. Do you know the number of his office?—A. No, I do not. I think it is about 1007 or 1009. It is on the north side of the street.

Q. Do you know whether Adams is a man of family or not?—A. He is married.

Q. Do you know John A. Gernez, a lawyer, of 1007 Chestnut street?—A. Yes, sir. I think there is where Adams's office is, too—1007 Chestnut.

Q. Do you know whether Gernez was a judge of election at that precinct on November 4?—A. I heard that he was appointed.

Q. You were present at the polling place during the day?—A. I was.

Q. Acted as clerk there?—A. Yes, sir.

Q. And you know what persons acted as judges at that polling place, don't you?—A. Yes, sir.

Q. Did John A. Gernez act as judge there?—A. For a short time.

Q. At what time during the day?—A. He came there about 7 o'clock in the evening.

Q. What time did the polls close?—A. Eight o'clock.

Q. Did he act as judge during the hour that he was there?—A. That is what he did.

Q. What part of the work did he conduct?—A. Counting; counting the ballots afterwards.

Q. Now, from the time the polls opened in the morning until about 7 o'clock in the evening, or within an hour, anyhow, of the time when the polls closed, Mr. Gernez was not there?—A. He was not there.

Q. Was John J. McMance, one of the Democratic judges, there?—A. Yes, sir.

Q. And S. T. Rockwell was the Republican judge?—A. Yes, sir.

Q. And G. W. Nolan was a Democratic judge?—A. Yes, sir.

Q. Now, who acted as judge from the time the polls opened in the morning until Mr. Gernez came in the evening, in place of Mr. Gernez?—A. Percival Adams.

Q. J. Percival Adams, the attorney of whom you have spoken?—A. Yes, sir.

Q. What part did he have to do in the work of the election?—A. Most of the time he put his initials on the ballots.

Q. Did he put the ballots in the box then?—A. No.

Q. Who did?—A. Well, sometimes Judge Rockwell and sometimes Judge Nolan. They changed off.

Q. Who received the vote from the voters?—A. The same party that put them in the box.

Q. Did you see J. Percival Adams writing on the ballots that were put in the ballot box and subsequently counted?—A. Yes, sir; I seen him.

Q. What time during the day did he do that? How much of the time?—A. Oh, a couple of hours, and then he changed off again.

Q. Who did he change off with?—A. Mr. Rockwell.

Q. What did Adams do after he changed off with Rockwell?—A. Sitting around.

Q. As one of the judges?—A. Yes.

Q. Participating actively in the election?—A. Yes.

Q. Had just as much to say there as any of the other judges had?—A. Too much.

Q. Had more to say than the rest?—A. Yes, sir.

Q. And you say he acted as judge from the time the polls opened in the morning until within an hour of the time they closed at night?—A. Yes, sir.

Q. Then he didn't take part in counting the ballots?—A. No; he did not.

Q. When Gernez came, did he act as a judge and receive ballots or deposit them?—A. He did not.

Q. What did he do?—A. Well, he was just sitting there. He was there for one hour, from 8 o'clock till it closed, and then he done the other work, very particular work.

Q. What was the particular work that he did?—A. Well, it is pretty hard to count. Took us very nearly four hours.

Q. He did help count?—A. No, he counted them himself.

Q. With the assistance of the Democratic judge?—A. The Democratic judge was sitting right beside him, but they didn't take no part at all in the counting. They left it all to him.

Q. It was all left to Gernez?—A. Yes, sir; and we took part in it there, in the counting when the ballot box was opened; we all counted, but afterwards the result was only counted by Mr. Gernez.

Cross-examination by Mr. ROWE:

Q. You know John A. Gernez?—A. Yes, sir; personally.

Q. You know that John A. Gernez was a candidate for the legislature on the Republican ticket in 1900, do you not?—A. I believe I remember it.

Q. You know that he was a candidate on the Republican ticket for some place in 1900, don't you?—A. Yes, sir.

Q. Do you know that he has been a live and active Republican politician for the last decade, at least. I mean by that, the last ten years?—A. Yes, sir.

Q. Do you know Percival Adams?—A. Yes, sir.

Q. Do you know whether he sleeps at his office there frequently, or not?—A. I can't tell you. I don't know.

Q. You don't know about that. You know that he has affiliated with the Republican party all his lifetime, and has been an active Republican politician too, don't you, at least during the time he has been a resident of the city of St. Louis?—A. I couldn't tell you whether he is a Republican or Democrat.

Q. Have you ever heard him making speeches at meetings of the Republican party in the different wards and public places?—A. No.

Q. You were never afflicted with any of his Republican speeches?—A. No.

Q. Now, you were one of the clerks of the election there, were you?—A. Yes, sir.

Q. A Republican; you are a Republican?—A. Yes, sir.

Q. You have been a Republican for how long a time?—A. Since 1874.

Q. You have been a resident of the city of St. Louis how long?—A. Since 1869.

Q. And during that whole period of time you have affiliated with the Republican party?—A. I did.

Q. As a Republican clerk of the election you had received your instructions at the election commissioner's office as to what your duties were, had you not; that it was your duty to go around from house to house and take with you the printed registration lists as furnished to you, and investigate the question as to whether the parties were residents of the places from which they seemed to have been registered?—A. Yes, sir.

Q. You endeavored to do your duty honestly and fairly in the matter, didn't you?—A. Yes; sure.

Q. Didn't you do your duty to the best of your ability in that direction?—A. Yes, sir.

Q. Did you allow any names to remain on the registration list that you knew was not a proper name upon that list?—A. I did not.

Q. And whenever you discovered that there was any improper registration of any kind, you reported the same to the judges of election?—A. That is what we did.

Q. And so far as you know, where any report of that kind was made, the registration lists were corrected, were they?—A. They were corrected.

Q. And no name was permitted on the registration list that you, as a Republican clerk, reported was not properly on there, and that an investigation showed should not be allowed on there, was there?—A. No, sir; they were all stricken off.

By Mr. RICHEY:

Q. But you have told us in the direct examination the exact way in which the registration was investigated and revised, haven't you?—A. I don't understand.

Q. I say you have told us here to-day the way in which you tested this registration?—A. Yes; yes, sir.

Q. And that you took the word of these different people?—A. That is what we did.

Q. As to the existence and residence of the persons named at these various houses?—A. Yes; that is right.

HERMAN G. SCHIRR, being recalled on behalf of the contestant, further testified as follows:

By Mr. RICHEY:

Q. You are the same Mr. Schitt who a day or so ago gave some testimony here?—A. Yes, sir.

Q. Was there anything in connection with the signing of the returns of the poll books at your precinct, the thirteenth precinct of the Thirteenth Ward, that you omitted to tell us when you were on the stand before?

Mr. ROWE. I object to that question as being too vague, too indefinite, and uncertain.

Q. Answer the question please.—A. Why, there was something that I didn't like to speak of, but being that you want to hear it, I will tell it all to you.

Q. What was it?—A. We brought the box down there.

Q. Who brought it down?—A. Me and Mr. Hunterbrinker and the other judge, M. O'Connor.

Q. You brought the box down where?—A. The box and poll books down to the board of election commissioners, and he told me we didn't have the poll books made out right, and that we better make them out right.

Q. Who told you that?—A. The young fellow that was there at the election commissioners' office.

Q. One of the clerks there?—A. One of the clerks; yes.

Q. He told you so?—A. He told us the poll books were not made out right.

Q. How had the poll books been made out; how were they made out at that time?—A. We only had one poll book, and that was signed.

Q. Hadn't you used but one poll book during that day?—A. That is all; used but one.

Q. What did this young man, the clerk of the board of election commissioners, tell you?—A. He told us to take them back and fix them up; that is what he told us.

Q. Take them back where?—A. Back to the polling place.

Q. What time of the night was that?—A. About half past 11 o'clock, I believe.

Q. On the night of the election?—A. Yes, sir.

Q. Were all the Republican and Democratic judges and clerks present at that time?—A. No, sir.

Q. Who was present?—A. Me and a young fellow, Mr. O'Connor, the other judge.

Q. Mr. O'Connor was there as the Democratic judge?—A. Yes.

Q. And you were there as the Republican judge?—A. Yes, sir.

Q. And was anybody else there from that precinct?—A. No; that is all that was there, except Hunterbrinker went along with us.

Q. Was he a Republican or a Democrat?—A. He was a Republican clerk.

Q. He went along with you?—A. Yes, sir.

Q. Who carried the ballot box and poll books and so on down there?—A. Young O'Connor carried them down.

Q. Is that Connor, or O'Connor?—A. O'Connor.

Q. What did you do when you were directed by this clerk of the board of election commissioners to take the poll books back to the polling place?—A. Couldn't do nothing. I got scared and went away.

Q. You did what?—A. I got scared, and left the book and box there and went away; they left me there with the box.

Q. Who left you there with the box?—A. The two young fellows, and I didn't know what to do with them, and so I left them there.

Q. O'Connor went off and left you with the box?—A. Yes, sir.

Q. And Hunterbrinker went off and left you with the box and poll books?—A. Yes, sir.

Q. And what did you do with it?—A. Threwed them in a case; that is all I know; I gave them to that young man, the clerk in the commissioners' office, and I went away.

Q. I understand you but one of the poll books had been signed by the judges and clerks?—A. Yes, sir.

Q. When did you hear, if you did hear, from the commissioners about the matter?—A. Two days after the election.

Q. Tell us what happened then.—A. The clerk came out with a policeman and told me to be down there at 2 o'clock, and if I didn't, why he would come out and get me.

Q. Do you know the clerk's name?—A. No, I do not.

Q. Where did he say he was from?—A. The same young man who took the box from me.

Q. The same young man you had seen before at the election commissioners', who told you that you should take the box and poll books back to the polling place and have them fixed up and signed?—A. Yes, sir.

Q. What did he say to you?—A. Told me if I didn't come down there at 2 o'clock he would come out and get me.

Q. What did you do?—A. I went down there and straightened it out and signed it up.

Q. How did you straighten it out?—A. Copied it off from the one poll book on to the other two.

Q. How many poll books were there?—A. Three poll books.

Q. You made two copies two days after the election, with that one book that had been copied on election day?—A. Yes.

Q. Did you sign, and did all the other judges and clerks sign, these two books filled out two days subsequently?—A. Yes, sir.

Q. Why did you sign them?—A. Well, I was scared.

Q. What scared you?—A. Well, the coming out with a policeman is one thing that scared me, and then there were several other parties down there.

Q. Down where?—A. Down at the election commissioners' office.

Q. Who were the other parties that were down there?—A. Well, there was one of them named McCarthy; that is all the name I know.

Q. Who was McCarthy?—A. He was working for Butler, the Excelsior Hauling Company.

Q. As an employee?—A. Some kind of a boss; that is all I know.

Q. And he was there, was he?—A. Yes, sir.

Q. Where did McCarthy live?—A. I don't know.

Q. How did you know that he worked for the Excelsior Hauling Company?—A. Well, I saw him up there.

Q. Acting as a boss?—A. Yes, sir.

Q. That was near where you lived, or near your place of business, that you saw him?—A. Yes, sir.

Q. And you knew who he was?—A. Yes, sir.

Q. How were you afraid of McCarthy? Just tell us.—A. Well, I couldn't say why. I was a-scared, that's all.

Q. Well, what is there about McCarthy or his reputation that would frighten a person?—A. Well, I don't know nothing about that.

Q. Tell us what frightened you.—A. I thought he had no business down there no how, and he scared me, that is all I know; didn't say anything more about it.

Q. Who demanded that you sign these poll books? Did you see any particular election commissioner that day?—A. Yes, I saw Mr.—; I forgot his name; Mr. McCaffrey.

Q. Mr. James McCaffrey?—A. Yes, sir.

Q. The president of the board?—A. Yes, sir.

Q. You saw him there?—A. Yes, sir.

Q. What did he say to you, if anything, or in your presence?—A. Well, we were fixing up the books, and he told us to sign them after we had straightened out; that is all.

Q. Where was this?—A. Up at the election commissioners' office.

Q. Were you inside of the office, or where were you?—A. Well, we were in the office.

Q. Where was McCarthy?—A. He came in once, and then he went outside and stayed outside.

Q. How do you know he stayed outside?—A. Because he was there when we came out.

Q. Do you mean to say that you were frightened and intimidated by the presence of McCarthy?—A. Yes, sir.

Q. And also by the fact that the clerk had come out there with a policeman and threatened to come after you if you didn't come down?—A. Yes, sir.

Q. You went down under those threats, and because of that fear signed the poll books?—A. Yes, sir.

Q. And they were copies made two days after the originals had been made?—A. No; we copied them off the one poll book.

Q. But you did that two days after the election, after the first poll book had been made?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. You testified here the other day, didn't you?—A. Yes, sir.

Q. What day was that that you testified?—A. Wednesday.

Q. You swore then that you would testify to the truth, the whole truth, and nothing but the truth, so help you God, didn't you?—A. Yes, sir.

Q. You were asked about all that occurred with reference to the signing of the poll books at that time, were you not?—A. No, sir; not that I know of.

Q. Well, you were asked to tell all that you knew about your official conduct as a judge of election?—A. Well, I didn't think of it just then.

Q. You were a judge, were you?—A. Yes, sir.

Q. What was the matter with you the other day? Did you have neuralgia of the conscience? Why didn't you tell about this matter that you are speaking about?—A. I don't know.

Q. Do you mean to say that you did not recollect of it the other day?—A. I never thought of it at the moment; no, sir.

Q. Did you recollect it?—A. I don't know whether I recollected it or not; I couldn't tell what I knew then; I forgot all the questions that were asked me.

Q. Didn't you right in the response to the very first question say that you were going to tell something that you didn't like to tell the other day?—A. Yes, sir.

Q. Well, you knew all about the matter the other day, did you not?—A. Well, I didn't think of it at the time; neither at the time being.

Q. Well, McCarthy, like Banquo's ghost, threw you into fits when you saw him down at the commissioners' office, did he?—A. Yes, sir.

Q. You were very much frightened at his appearance?—A. Yes.

Q. Did he make any threat against you of any kind?—A. No.

Q. Say anything to you?—A. No, sir.

Q. Did he pull any stilleto or Gatling gun or ordinary revolver on you?—A. No, sir; nothing whatever.

Q. Did anybody else frighten you by their appearance?—A. Well, I don't know; there were several others there. I don't know who they were.

Q. McCarthy is a mild-appearing man, isn't he?—A. I don't know.

Q. Is there anything vicious about his looks?—A. Not that I can tell of.

Q. Did McCarthy ever make any assault upon you of any kind?—A. No, sir.

Q. Did McCarthy ever make any threat against you of any kind to do you any bodily harm?—A. No, sir; none whatever.

Q. Did he ever make any assault upon your character for truth and veracity?—A. I don't understand that.

Q. Well, did he ever make any assault upon your moral virtue, if you have any?—A. You will have to make that a little plainer; I can't get that.

Q. So you don't know what that is?—A. No, sir.

Q. You are surprised, of course, not knowing what "moral virtue" is, are you? (No answer.)

Mr. ROWE. That is all.

Not being able to complete the taking of said deposition this day, by the consent of counsel, at 12.30 p. m. I adjourned the further taking of the same until Monday morning, December 22, at 10 o'clock.

St. Louis, *December 22, 1902.*

Pursuant to adjournment, as above stated, on this 22d day of December, A. D. 1902, at 10.45 a. m., I continued the taking of said deposition as follows:

G. T. CASE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth as follows:

Direct examination by Mr. RICHEY:

Q. Your name is G. T. Case?—A. Yes, sir.

Q. You live at 1333 Washington avenue?—A. Yes, sir.

Q. And you were a judge of election in precinct 6 of the Fourth Ward on November 4th last, in this city?—A. Yes, sir.

Q. How long have you lived in that precinct?—A. About five years.

Q. Are you pretty well acquainted in the precinct?—A. Well, reasonably well only.

Q. I will ask you whether there were any disturbances at the election place on election day?—A. No, sir.

Q. Were there any gangs came there to vote?—A. Well, there was about—well, between 9 and 10 o'clock in the morning, there was a gang of repeaters came.

Q. How many were there in the gang?—A. I think there were about 20. Between 20 and 30.

Q. Do you know where they came from?—A. No, sir.

Q. Do you know what numbers they pretended to come from?—A. You mean the residences of the names they voted?

Q. Yes.—A. Well, they voted a number of names from 404½ North Tenth street, I think, and they voted a number of names from 906 Morgan street, and then there were—I think they voted some names from 406 North Eleventh street or 410 North Eleventh, or some other number along in there somewhere.

Q. How many times did they vote?—A. Well, I didn't notice that particularly. I think some of them voted three or four times.

Q. How did they give their names? Did they have any slips or anything to identify themselves?—A. Well, I can't say that; I understand they did have.

Q. When they came there and demanded the right to vote were they allowed to vote freely, or was there a protest made against the receipt of their votes?—A. There wasn't any protest made. I didn't make any protest.

Q. Why?—A. Well, I have served as a judge of the election down there before, and I have learned by experience that discretion is the better part of valor.

Q. Now tell us what you mean by that, so the record will show?—A. Well, I mean by that that when a judge in a polling place makes an objection to a gang of repeaters voting he is endangering himself and running the risk of getting soaked, as they call it; getting his face punched and getting beat up and thrown out of the polling place.

Q. And that is the reason you made no protest against the receipt of those votes?—A. Yes, sir.

Q. Were their votes marked in any way other than the usual way—those votes cast by those repeaters that you have told us about?—A. I don't believe I understand that question.

Q. They voted under these names from these different numbers which you have told us about?—A. Yes, sir.

Q. Could you tell what votes, if the ballot box was opened and you had the poll books, could you go to the ballot boxes and select out or pick out the votes cast by these repeaters in this way?—A. Why, I could pick out a large number of them, because they don't bear my initials. The judge on the other side signed up a lot of ballots in advance.

Q. The Democratic judge?—A. Yes, sir.

Q. What is the name?—A. Walter O'Neil. I only signed two or three or four in advance, maybe, and they were lying there, and when this gang came there was pretty rapid voting, and I began to initial some ballots, but I did not initial either the Republican or Democratic ballots, because there was a line of seven or eight voting, and I didn't initial but three or four of them, and neither the Republican or Democratic ballots that were initialed contained any initials except Walter O'Neil, and those votes that were cast about that time did not bear my initials. I know that.

Q. Would it be possible for you to pick out all the votes cast in that precinct by repeaters?—A. No; I couldn't pick them all out. I could pick out some of them, because some of them do bear my initials.

Q. Then there isn't any way by which they could all be distinguished and eliminated from the count?—A. Well, not any way that I could pick them out.

Q. Or that anyone else could pick them out?—A. Not that I know of.

Q. Now, when did the polls close?—A. Well, the polls closed at 7 o'clock, I believe; that is the usual time, the time required by law, the polls were closed.

Q. Were the votes counted at that time?—A. They were counted; right after the polls were closed we began counting.

Q. What time did you get through with the count?—A. I guess it was between 10 and 11 o'clock.

Q. Were the returns made out from that precinct?—A. Yes, sir.

Q. Were they signed by all the judges and clerks?—A. Yes, sir.

Q. Were there any peculiarities as to the signing?—A. Well, the other Republican judge and myself simply signed the returns under protest.

Q. Where did you make the protest?—A. We simply wrote our names under protest on the poll books and also on the returns.

Q. That is, you wrote your names, and did you write also the words "under protest?" Is that what you mean?—A. Yes, sir.

Q. What is the name of the other Republican judge?—A. Fleschmann. F. H. Fleschmann.

Q. F. G., isn't it?—A. Well, F. G., then.

Q. Did he sign under protest in the same way?—A. Yes, sir.

Q. The ballots were all counted as they were in the box?—A. Yes, sir; and there was no mistake or no protest against the counting of the ballots that were there, and the only protest that we had was that the votes that had been voted, the ballots that were in the box, were put in there fraudulently by illegal voters.

Q. And that is what you mean by your protest?—A. Yes, sir.

Q. You knew that the results that appeared on the poll books there and on the returns were not honest results, and that was the reason of your protest?—A. Yes, sir.

Q. Now, why did you sign that at all, if they were improper or dishonest or crooked?—A. Well, we concluded that it was easier to get out of their dispute by signing under protest than it was to refuse to sign them and get into an argument with the police officers and the other judges.

Q. Was it merely to get out of a dispute that you signed?—A. Well, it was to get out of a dispute and also a fight, if necessary.

Q. What do you mean by that?—A. Well, while there were not any threats made by anyone in the polling place as to whether we should sign the returns or not, from past experience I know that there have been those threats, and they have been in this same precinct where I have served before, and I concluded to do things in the easiest possible manner and with the least amount of trouble and danger to myself.

Q. Then the reason you signed them was because you were afraid to refuse to sign them?—A. Yes, sir.

Q. Afraid of bodily harm?—A. Yes, sir.

Cross-examination by Mr. Rowe:

Q. You are a Republican?—A. Yes, sir.

Q. How long have you been such?—A. Well, ever since I have been able to vote; about seven or eight years; nine years I expect.

Q. You have always affiliated with the Republican party?—A. Yes, sir.

Q. When were you selected or appointed as judge of election of that precinct?—A. You mean at this particular election?

Q. Yes, sir.—A. Well, I don't remember the exact time. Two or three months ago—about the time when all of them were selected.

Q. About how long before the election?—A. Well, three or four weeks, I guess, because we had a registration day at the polling place, and a revision day also.

Q. You had a registration day and a revision day—you attended both of those meetings?—A. Yes, sir.

Q. That was before the election?—A. Exactly.

Q. Before you entered upon the discharge of your duties as a judge of election there you subscribed to a note that you would honestly, fairly, and impartially discharge your duty as judge of election there, didn't you?—A. Yes, sir.

Q. Do you know anything about the revision of the registration that occurred at that precinct, if any?—A. Yes, sir; we revised the books. We struck off 157 names, I believe it was, and our clerk told us that there were still names on there that were fraudulent; that he wasn't able to find out the real truth of the matter. When we turned in the poll books, however, I did sign the poll books on revision day.

Q. Do you know of any name being voted by any person that was stricken off by you as judge?—A. Any name being voted after the name was stricken off?

Q. Yes, sir.—A. No, sir; there were not any names voted after they were stricken off.

Q. All the names that were stricken off the list were considered by you illegal?—A. Oh, well, no; they were not all illegal. You know some people have moved; some were falsely registered, and some had moved out of the precinct, and some had died, but no person was allowed to vote upon any of those names, that I know of.

Q. Did anybody ever make any threat to harm you if you did not discharge your duty in a certain way there as a judge of election?—A. You say, "Did they ever?" You mean at this election?

Q. Yes, sir.—A. Why, no, sir; not at this election.

Q. Did anybody say anything to you about your discharging your duty in any particular way at this election?—A. No; there was nothing said about that at all.

Q. During the time that you were discharging your duty as judge of the election was there any assault made upon you of any kind?—A. No; there wasn't any assault made in the polling place at all.

Q. And nothing said to you about forcing you or coercing you into doing anything there as a judge that you did not desire to do yourself, was there?—A. No, sir; there was no open threats made of any kind.

Q. You counted the ballots fairly and honestly as they were in the box?—A. Yes, sir.

Q. Now, can you pick from that list any one name that was voted at that election which you say was an illegal vote?—A. No; I can't pick out any one name that I can say positively was an illegal vote.

Q. Do you know of a single illegal vote that was cast at that election?—A. No; I can't say that I know positively of a single name—well, I might say there was one name that was voted that I recollect. I can't recall the names that are on the registration books.

Q. Just take that book there that Mr. Richey has and look over those names and see if you can pick out any illegal vote that was cast at that election to your knowledge.—A. (Referring to book.) Well, now, there are a number of names here that I believe were illegal votes.

Q. I am not asking you for your faith. I am asking for your knowledge.—A. Well, I can't state positively as to any one person's name on this book being illegal or legal.

Q. Can you pick out any one name there on that list that you know was voted upon at the election and that you believe to have been an illegal vote?—A. Yes; yes, sir. There are a number of names here at one place, 906 Morgan street, and there are a number of names that I believe to be illegal, because Mr. Charles E. Ellison, I see, is a name on here, a son of John Ellison, who owns the house and who lives there. He told me that his father had authorized some one to register a number of names from the house, and that they worked it a little stronger than he expected, because there were 31 names registered from the house.

Q. Well, pick out any one of these names that you say was voted upon at that election and that you believe to be an illegal vote.—A. Well, there is a list of them here that I can go over that I think are illegal. There may be one or two of those that are legal, because there are some boarders at that house.

Q. Pick out all that you think to be illegal.—A. Well, here is Gustav Hoelter and Franklin Thomas.

Q. Was that name voted upon at the election?—A. Well, I think they were all voted upon; that is my recollection, that all in the house were voted.

Q. You don't know who voted the name of Franklin Thomas, do you?—A. No, sir.

Q. When a party appeared there and gave his name as Franklin Thomas and his residence at the number indicated on the registration list, did you make any protest or objection?—A. I made no protest or objection.

Q. Did you then know what you now know?—A. I did not learn it until afterwards from Mr. Charles E. Ellison, which was after all this voting had been done. I learned that in the afternoon. This voting was done in the morning.

Q. And it is your opinion and your belief that how many illegal votes were cast there at that election?

Mr. RICHEY. You mean from 906 Morgan street?

Mr. ROWE. In the whole precinct.

The WITNESS. In the whole precinct, it is my opinion that there were between 60 and 100, somewhere. The gang only voted once. That is, they were only there once in the day, and I think that the clerk's books showed about 35 votes when they came in, and something over 100 when they left.

Q. That would make about 65 votes?—A. I say between 60 and 100 there were; that is my opinion.

Q. When you speak of the "gang" how many were in the gang?—A. I think I told Mr. Richey I thought there was between 20 and 30. I think there was about that.

Q. Do you know whether any of these 20 or 30 were legal or qualified voters of the precinct or not?—A. No, I do not; I didn't know any of them.

Q. And did each one of these vote three times?—A. I wouldn't say that. Some of them, I believe, voted that often. In the position that I was in I didn't see actually how many times they did vote, but I believe the clerk said some of them voted three times.

Q. He said that some of them voted three times?—A. Yes, sir.

Q. You didn't know any of those parties, did you?—A. I did not.

Q. You had no personal acquaintance with them?—A. No, sir; I did not.

Q. You didn't know where they resided?—A. No, I did not.

Q. And all of this vote from Ellison's residence, did they say that they resided at Ellison's residence up there?—A. Well, when a man presented his name to vote he simply said, for instance, that his name was Franklin Thomas, 906 Morgan street, or something of that kind. Is that what you mean?

Q. Yes. Did each and every one of them say that he resided at 906 Morgan street, of this gang that you have spoken of?—A. Well, I don't believe I understand that question. Whether each and every member of that gang voted from that house or not I can't say. I know that some of them did. Some of them may have voted from other houses.

Q. They came there early in the morning, didn't they?—A. I think it was between 9 and 10 o'clock.

Q. You had up to that time received about how many votes, do you say?—A. I think there were about 35 on the clerk's book.

Q. Did they reappear again, those same parties, at the polling place?—A. That day?

Q. Yes, sir.—A. No; they didn't come back. They visited us only once.

Q. Who was your associate Republican judge there on election day?—A. His name is Fleischmann, F. H. or F. G. Fleischmann, I believe it is. Mr. Richey corrected me a while ago and said it was F. G.

Q. Did he make any objection to any of these votes?—A. No; he did not.

Q. Who was the Republican clerk?—A. Richard Coulter.

Q. Did he make any objection to any of the votes?—A. He did not.

Q. And you knew when you were receiving those votes that you were violating your oath of office if you knew that they were fraudulent?—A. Well, I have told you that I believed that they were fraudulent, and I believed that I was permitting men to vote illegally; yes, sir.

Q. Then you believed that you were violating your oath of office, did you?—A. Well, I would hardly say that.

Q. You could not entertain any such belief as that against yourself, could you?—A. Well, I don't know whether that is a fair question or not.

Q. Well, that is for you to answer. If you want to answer it by saying you don't think it is a fair question, that is all right. Don't you know very well that you now have more reason to say that you believe that you violated your oath of office than you have to say that you believed that those votes were fraudulent?—A. Well, since I have discovered, at least at one house, that there were a great many fraudulent names registered, why, I could very easily see that it was a mistake to allow those votes to be voted.

Q. Well, when you look at your conduct there as a judge of election and look at your oath, you could see also that you violated your oath of office, couldn't you?—A. Well, of course I could plainly say that the duties were not discharged fully, as they ought to have been.

Q. Your only reason, as you say, for the failure to discharge your duty, was from your former experience as a judge or a clerk of election?—A. Yes, sir.

By Mr. RICHEY:

Q. You did not know, when these votes were offered, for example, from 906 Morgan street, that you have since ascertained were illegal, are names that were not properly registered at that number, you were not aware of the fact of their fraudulent character, were you?—A. Not at that time; no.

Q. You found that out subsequently?—A. I did afterwards; yes.

Q. And that was one of the reasons why you refused to sign the returns except under protest, was it not?—A. Yes.

Q. So you endeavored, as far as in you lay, to discharge your duty with the knowledge that you had at that time?—A. Yes, sir.

Q. I will ask you if the knowledge of the conditions that obtained about that polling place and the character of the men who were perpetrating these frauds had anything to do or any influence to make you receive those ballots?—A. Yes, sir.

Q. What were the conditions, and what was the character of these men—what sort of a precinct is it?—A. Well, it is like most down-town precincts. It is in a down-town neighborhood, where the lower stratum of humanity resides, as a rule.

Q. And by that, do you mean dangerous elements, too?—A. Yes, sir; more saloons, probably, down there than in any other parts of the city. More tough characters.

Q. Were those saloons open or closed that day, so far as you know?—A. On election day?

Q. Yes, sir.—A. Well, I don't know whether they were open or closed; I didn't go into any of them.

Q. Was the knowledge of the presence of tough characters and the proximity of saloons, and all that, did that have something to do in the matter of inducing you to sign those returns, even under protest?—A. Yes, sir.

By Mr. ROWE:

Q. You reside in that precinct?—A. Yes, sir.

Q. How long have you resided there?—A. About five years.

Q. Are there any more like you residing in that precinct that you know of?—A. Well, I don't know what you mean by "like you."

Q. Well, you know what you are, don't you?—A. Yes.

Q. Are you upper or lower strata?—A. Well, I wouldn't say that I was either upper or lower; there might be sort of a middle strata somewhere that I might claim to belong to.

Q. Well, are there any more like you that claim to be in the middle that you know of in that precinct?—A. Yes; there is some.

Q. You didn't know anything about the strata of those men that came in to vote between 9 and 10 o'clock, did you?—A. No; I didn't know them at all.

Q. They may have been merchant princes?—A. They might be of that upper strata; yes, sir; they didn't look it, though.

Q. Do you judge of the strata by the appearance of a party?—A. Well, that is one of the things that one usually judges by.

Q. By the coat or by the nose?—A. Well, sometimes by the coat and sometimes by the nose and sometimes both.

Q. What was there peculiar about the garb of these men?—A. Well, their garb was pretty fair; it was the finest looking gang of repeaters that I have seen in a long time. They all had pretty good clothes on, and they looked as though they had just bought new suits, some of them.

Q. And that was the reason why you judged of their belonging to the lower strata?—A. Oh, no; I didn't say they were of the upper or lower.

Q. Do you know what a sizer is?—A. A what?

Q. A "sizer?"—A. I don't believe I do.

Q. Don't you know that a sizer is a gentleman in the garb of a pauper? Do you know that?—A. I don't know that; no, sir.

Q. Well, were those gentlemen sizers?—A. The gentlemen in the garb of a pauper?

Q. No; these gentlemen that voted between 9 and 10 o'clock, that you say was a fine bunch of repeaters?—A. Well, what you mean for me to say is, if they were gentlemen in the garb of paupers?

Q. Yes, sir.—A. No, sir; I wouldn't say that.

Q. What would you say they were? Paupers in the garb of gentlemen?—A. No; I wouldn't say they were paupers at all.

Q. You don't know those parties at all, do you?—A. Oh, no; I don't know them.

Q. You don't know anything about them?—A. No, sir.

Q. You don't know anything about their position in society?—A. Not a thing.

Q. You are just giving your belief and your opinion that they were a fine bunch of repeaters?—A. That is all.

Q. And it is bottomed solely upon your observation of their clothes and their general appearance, and from the fact that they said they were registered at a certain number, isn't it?—A. And the fact that they did repeat.

Q. That they did repeat?—A. Yes; and some of them voted more than once.

Q. Can you pick out any now?—A. No; I can't pick out any particular names that were voted; I can't recall that.

Q. You didn't think that was important enough for you to know at the time?—A. Well, they were coming pretty lively, and one really didn't have an opportunity to do that.

RICHARD A. COULTER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Richard A. Coulter?—A. Yes, sir.

Q. You live at No. 1333 Washington avenue?—A. Yes, sir.

Q. And you were clerk of election in October and November of the present year in precinct 5 of the Fourth Ward of the city of St. Louis?—A. Sixth precinct.

Q. The sixth precinct of the Fourth Ward. Who was the Democratic clerk?—A. Charles Potee.

Q. Was the registration list revised in that precinct by you and by Potee?—A. Yes, sir.

Q. Tell us how that was done.—A. From house to house.

Q. Now, when you went to a house, as for example, 906 Morgan street, you had with you the list of names of persons purporting to be, or pretending to live, at that number, did you?—A. Yes, sir.

Q. Tell us what steps you took to find out whether or not they actually did live there.—A. Well, we went there in the morning about 9 o'clock, and a boy about 8 years old came to the door, and I asked him—started to read off the list and asked him if they lived there, of the same initial that I read off, and he said no. Potee interrupted then, and said, "Well, you don't live here, do you?" and called for Mrs. Wilson, and then the boy said he didn't know whether they lived there or not; he said he lived up on Pine street, and that Mrs. Wilson was not in, but was down town shopping. We went away, and came back about 12 o'clock or 1 o'clock, and the same boy answered the doorbell, and he said Mrs. Wilson was still down town shopping, and we came back later on, about 5 o'clock, and another party came to the door, I don't know who it was, but it wasn't the lady, but she said they lived there.

Q. Said who lived there?—A. Well, those parties that we called off the names.

Q. The whole 31 of them?—A. The 31 of them, whatever was on the books.

Q. How large was the house?—A. Wasn't very large; about three stories, I think. Had about 12 rooms in it.

Q. And you had nothing to do but just take the word of this unknown party who said those people were living there?—A. That is all.

Q. And for that reason you allowed their names to stand on the registration list?—A. Yes, sir.

Q. When you got over there to 1333 Washington avenue, where there are 13 names on the registration list, what did you do over there to test the registration?—A. Well, I know all the parties over there, and they lived there, and I told Potee so, and Potee says, "It's all right."

Q. When you got down to 404½ North Tenth street, where there are 20 registered, what did you do there?—A. Well, we went to the door, rang the doorbell two or three times. The young lady came from the outside, and we read off the names to her, and she said they lived there. Isn't there another number close to it, Mr. Richey—No. 406?

Q. No. 406 North Eleventh?—A. Well, we went next door then, to 406, rang the doorbell two or three times, and the same lady came there, and I don't know exactly how many names I had there, but anyhow I asked her how many she had there, how many men, and I had five or six more on my books than she said, and then I called off the list to her, and she said they all lived there. I asked her how it was that she told me she had less living there than what I called off; well, she said they were living there, and that was all we could do.

Q. So that you got that information from 404½ North Tenth street and 406 North Eleventh street from the same woman?—A. No: 404 and 406 North Eleventh. There are two houses together there on Tenth and Eleventh street, I got my information from the same party.

Q. There are 406 and 410 North Eleventh street.—A. Possibly that is it. I know there was two houses together, either North Tenth or North Eleventh street.

Q. There are 19 registered from 406, and 20 from 410.—A. I think at 410 she said there was 14 roomers there.

Q. And when you called off 20 names she said the whole 20 lived there, although before that she said there was only 14?—A. Yes, sir.

Q. At 406, where 19 were registered, what did she tell you about the number that lived there?—A. They all lived there, she said.

Q. And you had nothing to do but accept her word for it and made your returns of those entitled to vote on the bare statements of those two parties?—A. Yes, sir; I made the notation on the book, though, that I didn't think they lived there.

Q. Do you remember the premises 419 North Eighth street?—A. No; 409 North Eighth street, if I recollect, was up near the Cobweb bar. There was three rooms up there, and we went up a rickety stairway, and a lady came there in her underclothes, and we called off the list of names.

Q. How many, do you remember?—A. I don't remember now, but I know there was quite a number of them.

Q. There is 8 appear to have been registered there?—A. I called off the 8 names, and she said they were living there. I asked her "Where do you sleep?" She said "I sleep here, too." There was a kitchen, and I don't think there was anyone sleeping in there. I asked her how it was, and she said some of them that came there and paid her two weeks' board never came back.

Q. But she said they all lived there?—A. Yes, sir.

Q. Were you present in the sixth precinct of the Fourth Ward polling place on election day?—A. Yes, sir.

Q. Did you see any repeating done that day?—A. Yes, sir.

Q. How much repeating?—A. Well, I believe I had 35 or around there in the book, when a bunch came in, and when they left there was over a hundred; the same bunch stayed there all the time.

Q. How large was the bunch?—A. Between 20 and 30.

Q. How many times did they vote while they were in there on that occasion?—A. From two to four times.

Q. Do you know of any way of picking out the ballots that were cast by them at that time? By these repeaters, I mean.—A. No, hardly; unless there is something by the names.

Q. Do you remember any of the names that they gave?—A. Why, by going over the list I could call off some, possibly, that they gave; of course, I don't recollect all of them.

Q. Did any of them aid their memories in determining what names they were going to vote on by using slips?—A. Yes, sir; I noticed some of them doing that; they came up and voted, voted a name, and then stepped back in the rear of the line and pulled out a slip of paper to see who they would vote next.

Q. Were any protests made against any of those men voting more than once?—A. Why, there was; when they started in they started in to vote pretty swiftly, and the judges began to hold them off for a while, taking their time. There were three or four cases, I believe, where they asked the party to spell their name, and they were unable to, and they turned them back.

Q. And those unable to spell their names were denied the right to vote again?—A. It was only three or four of them. They could spell it, but couldn't spell it the way it was down on the book.

Q. Where was the registration in that precinct padded with false names?—A. Several places.

Q. Well, give the places; as many of them as you can.—A. I couldn't say positively that it was padded, but then I was pretty sure of it; one place that was padded was the Central Hotel. I went there, and the proprietor had been called away by a telegram, at least the colored woman said so, the night before; that his mother was dying. We had a list of names from there and we asked her if they lived there and she said no, there was no men living there at all, and of course we scratched those names off, and the same with the Oxford Hotel.

Q. Do those names appear on the list?—A. No, sir; we scratched them off and they stayed off.

Cross-examination by Mr. Rowe:

Q. You were the clerk of election in that precinct?—A. Yes, sir.

Q. Where do you live?—A. No. 1333 Washington avenue.

Q. How long have you lived there?—A. About two years.

Q. What is your business?—A. I am in the hardware business.

Q. Where at?—A. Fourth and Washington avenue.

Q. Who with?—A. Norvell-Shapleigh Hardware Company.

Q. How long have you been connected with that hardware company?—A. About four or five months.

Q. In what capacity?—A. Price clerk.

Q. What had you been doing before that time?—A. I was with another hardware house.

Q. Where at?—A. Ninth and Spruce.

Q. How old are you?—A. Twenty-two years old.

Q. How long have you been a Republican?—A. Ever since I was old enough to vote.

Q. How often have you voted?—A. I have voted twice.

Q. After you had made the canvass of the registered voters, did you make your report to the judges of election for the purpose of revision of the registration?—A. I did; yes, sir.

Q. Did you give them a list of all the names that you thought in your judgment should have been stricken off of the registration list?—A. I did; I made a notation on the book.

Q. Did you include in that list any of those names that are now on this list that has been exhibited to you?—A. Yes, sir.

Q. What names did you give them to have stricken off?—A. Well, I didn't give them the names. I just made a notation on the list that I didn't think all those parties lived at those different numbers; that is all. I didn't make any separate list of names.

Q. Did you send out notices to any of those parties to appear on revision day and show cause, if any, why their names should not be stricken off of the registration?—A. About 157, I think.

Q. I mean any of those names that are now on the list. Did you send notices to any of them?—A. No; didn't send notice to those. Sent notice to the ones that were scratched off.

Q. The only ones to whom you gave notice were those whose names were afterwards stricken off the list. You never gave notice to any of those whose names were allowed to remain on the list, did you?—A. No, sir.

Q. Was there any violence of any kind, or any threats in the polling place while you were there?—A. No, sir.

Q. You saw the ballots counted up there?—A. Yes, sir.

Q. They were honestly and fairly counted, were they, so far as you saw?—A. Yes, sir.

Q. You have subscribed an oath as clerk of election to honestly and faithfully and impartially discharge your duties as such, didn't you?—A. Yes, sir.

Q. Well, you knew when this bunch of voters came in that they were repeaters, didn't you?—A. I didn't know it. I thought so.

Q. Did you make any objection to their voting?—A. No, sir; I was kept busy writing down the names. I didn't have a chance to.

Q. You didn't have a chance?—A. And for that matter, I didn't care to say anything, because I had been told it was wise to keep my mouth shut.

Q. And your only reason, then, for not making an objection was because you have been told it would be wise for you to keep your mouth shut?—A. Yes, sir.

Q. You knew, though, all along, that the votes were fraudulent and illegal?—A. I don't say that I knew it. I thought it.

Q. Well, you thought it.—A. Yes, sir.

Q. You thought it when you failed to make a report to the judges and clerks and have notices sent out that they were illegally registered, didn't you?—A. I thought they were.

Q. And you thought that when you signed up the poll book and the returns of the election, too, didn't you?—A. Yes, sir.

Q. No doubt about that. You never made any objection at the time to signing up the poll books? And signing the returns, did you?—A. The poll books were not signed by the Republican clerk.

Q. Well, signing any returns.—A. Well, I didn't sign the election returns. I left that to the judges.

Q. In making a canvass of the precinct with the Democratic clerk, you went to some number, I think it was on Eleventh street, wasn't it, where you said there were 13 voters and they were all right, didn't you?—A. No; I don't remember that.

Q. Don't you recollect what you said about that?—A. No. 1333 Washington avenue, I guess you have reference to.

Q. You went there and he went with you, and you said they were all right?—A. Well, I just simply said to him, and in fact he knew a great many of them, and I looked over the list and he looked over the list at the same time, and he said, "Well, let them go, then, if they live there."

Q. You said it was all right, and he said it was all right?—A. Yes, sir.

Q. Any other place that you went to you endeavored to get the best information you could as to whether those parties were registered from the place they were registered from?—A. Yes, sir.

Q. You tried honestly and faithfully to do your duty in that particular, didn't you? You endeavored to get all the information you could for the purpose of ascertaining whether all the persons on the list were properly registered there?—A. Yes, sir.

Q. You did not suffer or permit, knowingly or intentionally, any name to remain upon the registration list without making an objection to the same?—A. Why, I wish you would please repeat that.

(Last question read to witness.)

A. No; not that I know of.

Q. Who was it that told you that it would be wise for you to keep your mouth shut?—A. Why, I have heard it several times.

Q. Who from?—A. Different parties.

Q. Who told you that?—A. Well, I don't just remember now. It is a regular byword up there that the best thing for a clerk or a judge to do in a case of that kind is to keep their mouth shut and not say anything, but let them go ahead.

Q. Just a byword; you can't tell just who told you?—A. No; I don't just exactly remember. This happened two or three months ago.

Q. Do you know Mr. Butler, the candidate for Congress?—A. No; I believe this morning is the first time I have seen him.

Q. Do you know anybody that was acting for or represented him that made any such declaration?—A. No, sir; I do not.

Q. Do you know anyone that had any authority to speak for him that made any such declaration as this?—A. No, sir; I do not.

Q. And you can't recall who the person was that told you it would be wise for you to keep your mouth shut?—A. No; I do not, only I heard it and also read in the papers about where they had been done up pretty badly, some of them that had made objection.

Q. Do you know any of the parties that was with this bunch that came in and voted, as you say, about 9 o'clock in the morning?—A. No, sir; I never saw any of them before that I know of.

Q. Didn't see any of the persons that were with them and brought them in there?—A. Did I see any of the persons that were with him?

Q. Yes; that you recognized?—A. No, sir; I did not.

Q. You don't know anything about who they came with or who they went away with?—A. They came with themselves and went away with themselves in a bunch.

Q. Do you know Mr. Kinney—Tom Kinney?—A. I was introduced to him on election day; I think it was.

Q. Do you know Mr. Michael Kinney, that was candidate for constable?—A. No, sir.

By Mr. RICHEY:

Q. Was it because of your having been told that it would be well for you or a wise thing to keep your mouth shut that you made no protest against this repeating when you saw it going on?—A. Well, from what I had been told and what I have read in newspapers.

Q. What effect did what you were told and what you saw in the newspapers have on you?—A. Well, it didn't have much effect on me until I saw the bunch and saw that they were too many for me.

Q. Then you were afraid to make a protest?—A. I was afraid then; about twenty-five to one.

Q. You state that they went back and joined the line after they had voted once. What do you mean by that?—A. Well, they went to the rear of the line and took out a paper and looked to see who they would vote next.

Q. They went to the rear of the line of people who were waiting to vote.—A. Oh, they were the only ones in the line.

LOUIS KUEHN, JR., of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Louis Kuehn, jr.

Q. Where do you reside?—A. 1700 Chestnut.

Q. Were you connected in an official capacity with the election held on the 4th of last November?—A. Yes, sir. I was there as clerk.

Q. For what party?—A. The Republican party.

Q. At what ward and precinct?—A. Fourteenth Ward, third precinct.

Q. Did you qualify?—A. Yes, sir.

Q. Did you make any canvass of the registration of that precinct?—A. Yes, sir.

Q. State what you did.—A. Well, I went from house to house—I and Mr. McKenzie, the clerk on the Democratic side—and we got their names as much as we could.

Q. What was the result of that canvass?—A. Well, there was a great many buildings there that had been torn down, etc., and I suppose we scratched somewhere along about 150 names—something in that neighborhood. We took the names from the old registration list that we had.

Q. Why did you scratch them?—A. Well, the houses were torn down and they didn't live there any more.

Q. Do you recollect any numbers or any names scratched from any one particular place?—A. Well, I guess I could tell you a whole lot of numbers. They are mostly of colored men, where they moved away and other people moved in.

Q. Was there any registration at the polling place on the days of registration?—A. Yes, sir; quite a number.

Q. Did you find any occasion to scratch any of those registrations from the books?—A. No; not particularly. The registration that day was very small, anyhow.

Q. Do you remember the registration of that precinct after you had canvassed it?—A. I think the way we got the list in—it was somewhere along about 531 or 536, I am not positive which.

Q. And you scratched about 150?—A. Yes, sir.

Q. That left almost 400?—A. Yes, sir.

Q. Now, on the day of the election, did you serve as a clerk?—A. Oh, yes; I served.

Q. Did you notice anything irregular that day in connection with the casting of the ballot at that precinct?—A. It was the quietest election I have been at for several years. We didn't have any trouble at all.

Q. Was there any attempt made at repeating there at all?—A. Well, there was twice, to my knowledge.

Q. Now, what was that?—A. Well, in the election there was one man I noticed around there two or three times, and I asked him whether he had voted, and he said he did not, and I asked him his name, and I told him I thought he had voted, and to bring in somebody to show me where he lived, and he went out; and in the afternoon there was another man. Those are the only two instances on that day.

Q. In the evening during the count of the ballots who was present in the polling place outside of the judges and clerks?—A. Nobody in there but two policemen, I believe.

Q. Did you participate in the count of the ballots?—A. Oh, yes, sir; stayed there till half past 2 in the morning.

Q. Did you sign the returns?—A. Yes, sir.

Q. Nothing unusual occurred?—A. Nothing unusual at all, for it was a very small vote cast there.

Q. How many votes were cast?—A. There was 226, and 9 of them were so torn we put them in another place.

Cross-examination by Mr. ROWE:

Q. It took you until what time to count the ballots?—A. We stayed there until, I think, it was somewhere along about half past 2 in the morning with the amendments and one thing and another, it took us quite a little while.

Q. There was a number of amendments voted on and a great deal of work in counting them?—A. Yes, sir; and we stayed there until half past 2 in the morning, and it was a disagreeable place at that.

Q. And you worked faithfully and diligently from the time the polls closed until that time in order to get through with the work; you did it just as rapidly as you could consistently with a fair and proper discharge of your duties?—A. I done the best I could in order to get through. It rained through the roof and I wanted to get through; I know we had to have a hack to take us and the ballot boxes down, as it rained very hard.

Q. The vote in the precinct was how much?—A. I think the exact number was 226, and 9 of them was torn so they were put in a separate envelope, and I don't know whether they were counted or not.

Q. So far as you know, no illegal votes were cast at that election?—A. Not to my knowledge.

Q. And it was fairly conducted to the best of your knowledge?—A. I must say it surprised me that we had no trouble that day; not once.

Q. No intimidation or violence by any parties there?—A. No, there wasn't a soul came around except to bring us a little lunch, and we got a cigar or two.

Q. How long have you been a Republican?—A. Well, I am 43 years old; been a Republican since I have been able to vote.

A. C. KASTEN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. A. C. Kasting.

Q. What is your business, Mr. Kasting?—A. Barber.

Q. Where do you live?—A. No. 113 North Fifteenth street.

Q. Were you connected in an official capacity in any way with the election held on the 4th day of November?—A. I was the Republican clerk.

Q. What ward and precinct?—A. First precinct of the Fourteenth Ward.

Q. Where was the polling place?—A. At my place of business.

Q. At 113 North Fifteenth?—A. Yes, sir.

Q. Did you take part in the canvass of the registration of that precinct?—A. I did.

Q. State what the canvass resulted in, so far as the registration was concerned?—

A. Well, after the registration we went out to canvass the precinct; we went from house to house, and when they told us the people lived there, of course we left them on, but if they said they did not live there we scratched them off.

Q. Do you recollect how many names were scratched off?—A. Somewhere between one hundred and seventy and two hundred; I forget the exact number.

Q. These names were all scratched off?—A. Yes, sir.

Q. The parties not living at the places where they were registered?—A. Yes, sir.

Q. On the day of the election, were there any of those names attempted to be voted?—A. None that was scratched; no, sir.

Q. How many votes were cast, as near as you recollect, at that precinct?—A. As near as I can recollect, about 230, I believe; something like that, in that neighborhood; I forget just the exact number.

Q. Was there anything irregular during the day in connection with the casting of the ballot?—A. Not to my knowledge; no, sir.

Q. Were there any efforts made at repeating?—A. I couldn't say that there was.

Q. Were you present when the vote was counted?—A. I certainly was; yes, sir.

Q. Who was present in the polling place?—A. The judges and clerks and police.

Q. Anyone else?—A. No, sir.

Q. Did you sign the returns?—A. I did.

Q. What time did you get through?—A. Five o'clock in the morning.

Cross-examination by Mr. ROWE:

Q. Did you proceed to count the votes and arrange for the returns with all convenient speed after the polls closed?—A. We counted them just as fast as we possibly could. We took ballot for ballot and gave every man what was coming to him.

Q. And there was quite a number of charter amendments, was there not?—A. Yes; and there was quite a lot of scratched tickets, and we took the straight tickets and counted them and then took the scratched tickets and counted for each man what was coming to him.

Q. And you did your work as quick as consistent with the proper discharge of your duty there?—A. We did; yes, sir; got through just as quickly as we could.

Q. And so far as you know the election was an honest one, and a fair count, and nobody permitted to vote that was not entitled to vote?—A. In our precinct, I must say, I certainly didn't see nothing wrong.

JAMES S. STODDARD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. James S. Stoddard, No. 423 South Leffingwell avenue.

Q. Were you judge or clerk at the election held on the 4th of last November?—A. I was judge.

Q. For what party?—A. Republican.

Q. What ward and precinct?—A. It is the Fourteenth Ward of the eleventh precinct.

Q. Did you have anything to do at all in connection with the registration and canvass of that precinct?—A. Why, yes, sir. We met there after registering, and met for revision.

Q. In connection with that revision, were there any names scratched off?—A. Yes, sir; there was, I think, between fifty and sixty.

Q. Do you know for what reason?—A. Why, the clerks gave as a reason that they did not belong there where they were registered.

Q. Do you remember how many votes were registered from that precinct?—A. My recollection is when we left it at the time of the revision there was 391.

Q. How many votes were cast?—A. Two hundred and forty-six is my recollection.

Q. You were present during the day of the election?—A. Yes, sir.

Q. Was there anything irregular during that day?—A. Well, the only thing irregular—there was a gang came in there.

Q. About how many?—A. I couldn't say whether twenty or thirty. I couldn't say that because there were some of our neighbors in there voting at the same time, and they made quite a crowd at one time; but these men as they called their names the judges found them all registered and said all right, and they got their ballots and I put their ballots in the box as voted.

Q. How many voting booths were provided in that precinct?—A. I think there were three or four; four, I think.

Q. Were there any instructions given by the judges and the police concerning the number of voters to be allowed in the polling place at one time?—A. No; I don't think there was. I didn't give any, and I don't think anybody else did.

Q. Were the police asked to regulate that at any time?—A. At the time that gang came in I asked the officer there if he would stop there and keep them out, and keep so many from coming in, and he said he would see if he couldn't regulate it. He went outside of the door, and I don't know whether he regulated it or not. I didn't see him again until after the gang had voted and gone.

Q. Were you present when the vote was counted?—A. Yes, sir.

Q. What time did you finish with the returns?—A. I think it was a little after 1 o'clock.

Q. Did you sign the returns?—A. I did.

Cross-examination by Mr. Rowe:

Q. What time was it that you saw this gang, as you call it, appear?—A. Well, it was somewhere near about 1 o'clock, I think.

Q. About noon time, wasn't it?—A. Something like that.

Q. You don't know of any illegal vote that was cast there, do you?—A. No, sir. Those men were reported to me by the judges or by the clerks that had the books, that looked them up; they reported as they called their names that they were called out right.

Q. Each and every man that came in there gave a name and a residence, and his name and residence was found on the poll book?—A. Yes, sir.

Q. And he was permitted to vote?—A. Yes, sir.

Q. And you don't know of any man coming in there and voting who was not properly registered and who was not entitled to vote?—A. No, sir; I do not.

Q. You would not have permitted any illegal vote if you could have prevented it?—A. If I had known it in any way I would have objected to it and done all I could to prevent it.

Q. And if you had known of an illegal vote being cast you would have objected to it?—A. Yes; if I knew it of my own knowledge that it was; yes, sir.

Q. And you made no objection that day?—A. I made no objection; no, sir.

Q. And, in so far as you know, there was an honest election and a fair count?—A. The count was fair; yes, sir.

Q. And you know that the election at that polling place was honest, so far as you know, because you don't know of any illegal votes being cast?—A. No, sir; I can't say of any illegal votes being cast, to my knowledge.

Q. You are a Republican?—A. Yes, sir.

Q. And was appointed as a Republican judge there?—A. Yes, sir.

Q. How long have you been connected with the Republican party or a member of that party?—A. Well, that would be some ways back.

Q. How long?—A. The first time I ever had a right to cast a vote at a Presidential election, I voted for Lincoln, and afterwards I voted when he was elected again.

Q. And you have been a member of that party ever since?—A. Yes, sir.

Q. How old are you?—A. Well, I am 68 now.

Q. After the polls closed, the judges of election and the clerks proceeded in an orderly way to count the ballots and do their work with all convenient speed and dispatch, didn't they?—A. Yes, sir, that was our business.

Q. And you did it up just as hurriedly as you could do it, consistent with your duty?—A. Just as fast as we could, and tried to be correct in every detail.

JOHN J. TATUM, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICEY:

Q. Your name is John J. Tatum?—A. Yes, sir.

Q. You live at 3417 Eads avenue?—A. Yes, sir.

Q. Do you know the polling place on Manchester avenue, near Spring avenue, in the twelfth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. How old are you, Mr. Tatum?—A. I am in my thirty-fifth year.

Q. What is your business?—A. I am employed by the Government; the National Government.

Q. In what capacity?—A. Connected with the Railway Mail Service.

Q. Do you know the polling place I have just asked you about?—A. Yes, sir.

Q. Did you know it at the last election?—A. Yes, sir.

Q. Were you there that day, at that polling place?—A. I was.

Q. What time of day was it?—A. I am not quite positive, but I was there, I presume, from about 3 or a quarter of 3 in the afternoon until along about 5 or maybe half past 5; I was there about two and one-half or maybe three hours. About two hours and a half.

Q. Did you see the people coming up to the polling place?—A. Did I see people come up and vote?

Q. Yes, sir.—A. Yes, sir.

Q. Did they arrange themselves in a row or file?—A. They did.

Q. And wait their turn?—A. Yes, sir.

Q. Now, tell us what you saw, Mr. Tatum?—A. Well, I went up there, and I noticed a lot of colored people—negroes—voting, or, at least, going in, and to the best of my recollection there was three crowds there. There was one crowd of 5, I think, and one crowd of 7, and another one of 10, and what first attracted my attention to them was the fact that they came out, and I noticed in the sleeves of four or five they held a slip of paper, partly in their sleeves and partly in their clinched hand, and that made me kind of suspicious, and I noticed when some of them came out that they would go around the corner of Spring and Manchester—there is a saloon on the northwest corner, and they would go around the corner of Spring avenue and exchange slips or take slips from a man stationed there and went back and voted. I can't say that they went back and voted, but I noticed several of them receive ballots and go back toward the polls.

Q. With the ballots in their hands?—A. Yes, sir.

Q. Where were you?—A. I was stationed across the street at the time, and part of the time in a line with the door of the polling place.

Q. Did you see these Indians come out of the polling place?—A. Yes, sir.

Q. After they had been admitted there and were in line?—A. Yes, sir.

Q. When they came out what did they do?—A. They went around the corner of Spring avenue and held a consultation with some colored man standing there, and went back again.

Q. When they were having this consultation around the corner from the polling place where were you; how far from them?—A. Well, I was within as far as from here to that door; probably 15 or 16 feet from them part of the time.

Q. Did you see them get any slips on those occasions?—A. Yes, sir, I did.

Q. Then after they got the slips, what did they do?—A. They went into the polling place.

Q. Joined the line of voters and went into the polling place a second time?—A. Well, as a usual thing they did. I may be mistaken about this point, but to the best of my recollection there was no line of voters there except this one particular crowd.

Q. Now, the gang of 7, how many times did they line up and pass into the polling place with slips?—A. I saw this crowd of 7 go into the polling place on three different occasions, and I believe four, but I know of three.

Q. And how as to the gang of 5 men?—A. This crowd of 7, I saw them go in three times, and I believe they went in four times, but I am not positive, for this reason: When I think they went in the fourth time I went down to question some of the darkies as to what they were doing with those slips, and while I was questioning them this gang of 7, I believe, went into the polling place the fourth time, but that I don't know positively.

Q. I don't know but what I made a mistake in giving the number of this precinct, but the thirteenth precinct of the Twenty-third Ward is what I am speaking about. Is that right?—A. Yes, sir; that is it.

Q. You have been speaking about the thirteenth precinct of the Twenty-third Ward?—A. That is correct; yes, sir. It is a precinct that had its polling place on the north side of Manchester avenue immediately west of Spring. That is the precinct I am speaking of.

Q. You believe they went in the fourth time?—A. Yes, sir; while I was questioning the darkies as to what they were doing with those slips that this crowd of 7 went in.

Q. The gang of five, how often did they join in and go into the polling place?—A. They went in once and went in twice. They went in, I presume, to ask for ballots; anyhow they received ballots that day, and I presume they went in and voted, because they went into the voting booths and they came out of the booths. They received their ballots, and I presume they deposited their ballots and then left the place.

Q. How many times did the gang of 5 go into the polling place?—A. Into the house that contained the polling booths?

Q. Yes, sir.—A. Only once; that is, while I was there.

Q. How many times did you see them get ballots and have ballots in their hands?—A. Twice.

Q. The gang of ten, how many times did they approach the ballot box with ballots in their hands?—A. Only once, to my knowledge.

Q. How many slips did you see altogether there?—A. You mean that passed between all this crowd?

Q. Yes, sir.—A. Well, now, I don't know. That is a pretty hard question, but there was quite a number, and I presume there may have been a total of 45 to 60 slips. That is what I would judge, not knowing. I didn't count them and don't know that to be a fact, but I presume there was 45 to 60 slips. There was quite a bunch of them.

Q. Are you acquainted with the registration in that precinct?—A. No, sir.

Cross-examination by Mr. JAMES J. BUTLER, Esq.:

Q. Where do you live?—A. No. 3417 Eads avenue.

Q. What is your name?—A. James J. Tatum.

Q. How far is Eads avenue No. 3417 from this polling place that you speak of?—A. Well, Eads avenue is about six blocks south of Chouteau avenue, so from this polling place I should judge it would be, well, every bit of 11 or 12 blocks, about that.

Q. That is almost a mile, isn't it?—A. Yes, sir; pretty near it.

Q. Where do you vote?—A. I vote in the eleventh precinct of the Twenty-third Ward.

Q. Is 3417 Eads avenue in the eleventh precinct of the Twenty-third Ward?—A. I think it is the eleventh. I am almost certain it is.

Q. Did you live there on election day?—A. Yes, sir.

Q. Did you vote there on election day?—A. I did.

Q. Did you remain around the polls of your precinct that election day?—A. I did for the best part of the morning.

Q. And then you went to this precinct?—A. No; then I went home and went to dinner and stayed around home a little while and came out again and then went over to this place.

Q. What prompted you to go to these polls and stay there the remaining part of the day?—A. Well, I just had what you may term a nominal interest in the election, and I was asked—at least I wasn't asked to go there, but a friend of mine had a horse and buggy, and he says, "Don't you want to take a ride around the ward?" And I said, "Well, I don't care if I do," and I got in the buggy and went around with him, and when I got over to this place I noticed this crowd here, as I stated, and this friend of mine left me and I remained there.

Q. Who was this friend of yours that was with you?—A. A man named Clark.

Q. What was his first name?—A. Pat J. Clark.

Q. Patrick J. Clark, the central committeeman?—A. Yes, sir.

Q. He is the Republican central committeeman?—A. Yes, sir.

Q. Did Clark tell you to remain around there?—A. No; in fact, he told me, "You better come on away from here, or you will get into trouble."

Q. He told you that, did he?—A. Yes; he says, "You better not stay here; you are liable to get into some trouble if you do."

Q. You didn't heed his warning?—A. No; certainly not.

Q. That induced you all the more to stay, didn't it?—A. Well, no; I can't say that it did—no, sir; but I wasn't afraid of any trouble, though.

Q. By whom were you employed on that day?—A. Nobody.

Q. Were you not employed as a private detective on that day?—A. No, sir.

Q. You were not?—A. No, sir.

Q. Didn't you wear a private detective's badge known to the Republicans on that day, signifying to the faithful that you were a detective?—A. No, sir.

Q. You did not?—A. No, sir; had no badge of any kind or description on me.

Q. What is your business?—A. I am employed in the Railway Mail Service of the National Government.

Q. Were you in the employ of the Government on that day?—A. No, sir.

Q. What was the reason you were not in the employ of the Government on that day?—A. Well, my business is so situated, or the run that I had is so situated that I am away from town only about half the time.

Q. You are not familiar or you are not acquainted with any of the people in this precinct, are you?—A. Well, I may have some acquaintances in the precinct, but, if I have, I can't recall them. I don't know that I have.

Q. Do you know any of those men that you say you saw repeating so often?—A. No, sir; they were all colored people, every one of them.

Q. Do you know on what names they repeated?—A. I do not; I was not allowed in the polling place and was not within sufficient distance to hear the names given.

Q. I understood you to state on direct examination that you saw them get the ballots and saw them put them in the box.—A. I say I saw them receive the ballots. I didn't say I saw them put them in the box.

Q. How could you see them receive the ballots if you were not within sufficient distance to hear the names?—A. I can see better than I can hear.

Q. You said you were not within sufficient distance to see what was going on in the polling place.—A. No, I didn't make the statement that I couldn't see; but I wasn't within sufficient distance to hear.

Q. How close were you to the polling place?—A. I was in several distances; the police officer protested against me being there and moved me, and I finally went across the street, but at one time I was as close to the polling place as probably 8 or 10 feet.

Q. Did you protest to anybody there about this so-called repeating?—A. No.

Q. Didn't protest to the police officer?—A. No, sir.

Q. Did you tell any police officer what you saw?—A. No, sir.

Q. You did not attempt to challenge any of those colored men?—A. Not at all; I wasn't allowed near enough to the polling place.

Q. Did you attempt to challenge, or did you ask the police officer to allow you to do so?—A. No, sir; I attempted to get near to the polling place and the police officer asked me, "Do you want to vote?" and I says, "No, sir," and he says, "Get away from here."

Q. Did you protest to anyone during that day?—A. I did to some of the darkies.

Q. What did they say?—A. I was speaking like I am to you, and one of them turned around to the man I was speaking to and says, "Why don't you take a soak at the damn cur?" and I told him, "You better do it yourself."

Q. You were not a bit frightened?—A. No; what had I to be frightened about?

Q. The darkies didn't go away, or anything of that kind?—A. Yes; they did. There is a house on the east side of Spring avenue that evidently was their headquarters. That I don't know, but apparently it was, and just about that time there was a darky that was over there who came across the street where these words took place, and he told the fellows, "Here, you don't want to start any damn muss here or any rough house," something to that effect, and then they left and went across the street to this house, and at that period some of them received slips.

Q. Who gave them the slips?—A. That I don't know; some colored man.

Q. Do you know who it was?—A. No, sir.

Q. You say you made no protest to anybody except the darkies themselves on that day?—A. No, sir.

Q. How soon after that did you again see your friend Mr. Clark?—A. Why, I don't know exactly; it was some few days—probably three, four, five, or six days.

Q. You didn't see him any more on that day?—A. No, sir.

Q. And you remained there how long?—A. Well, hold on; I'll take that back. I did see him again on that day, but didn't speak to him. I saw him that evening.

Q. Where did you see him that evening?—A. I saw him going into the Temple Building.

Q. Were you within speaking distance of him at the time?—A. No; I was as far as from here across the street.

Q. Did you attempt to speak to him?—A. No, sir.

Q. Was that the night of the election?—A. That I saw him? Yes, sir.

Q. What were you doing at the Temple Building that night?—A. I was on my way down to see the returns. I wasn't at the Temple Building. I was passing up Broadway on the other side of the street.

Q. Didn't you say you saw Clark going into the Temple Building?—A. I did.

Q. You were passing up Broadway?—A. I was passing up Broadway at the time.

Q. You didn't attempt to speak to Clark at this time?—A. No, sir.

Q. When did you see Clark to speak to him?—A. After election day.

Q. How long after?—A. I don't know; it may have been three, four, or five days.

Q. Did you converse with Mr. Clark then?—A. About this occurrence?

Q. Yes, sir.—A. Yes, sir.

Q. What conversation did you have with him?—A. Well, now, I can't recall the exact words, but it was to the effect that I thought those men were repeating.

Q. Did you tell Clark everything in substance that you have told here on direct examination?—A. Oh, no, sir.

Q. You did not?—A. No, sir.

Q. Why not?—A. Well there was no real incentive for it that I could see. He didn't ask me to, didn't ply me with any questions, didn't quiz me at all.

Q. Didn't you know that he was the Republican central committeeman?—A. I did.

Q. And that he was the man you should communicate the information to, if you had it?—A. Well, I didn't tell him, and I will tell you why. I never had taken an active part in politics and it was really nothing to me.

Q. You told me that you took an active part in it on that day.—A. No, sir; I used the words "nominal interest."

Q. You took a very active part for a man who claimed to have only a nominal interest on that day.—A. I had no incentive and no cause to go to this place. I went there on the invitation of Mr. Clark, merely to take a ride around the ward, as he stated, but when I got there I found sufficient cause to remain.

Q. What did you tell Clark in reference to this? Can you tell us that?—A. No; I can't tell you. I don't remember.

Q. Did you tell him anything about this at all?—A. I said something to him about like this: I says, "Pat, that gang of coons stayed there quite a while after you left;" something to that effect. What the words were I can't recollect.

Q. You at any rate communicated the fact that you were absolutely sure and that you really thought that there had been a great deal of repeating going on there?—A. You say did I really think so?

Q. Didn't you communicate that knowledge to him?—A. No, sir; not anything positive of that kind.

Q. Did you give Mr. Clark to understand, by any words whatsoever, that you believed there had been repeating going on at that precinct?—A. Well, yes; I presume I did, if he could place that construction on my conversation.

Q. Was your language of such character that it was of doubtful construction?—A. Well, as I say, I can't recollect my exact language. I merely made some such statement about like this, "That crowd of darkies that was there when you left stayed there and done considerable voting;" something to that effect. Just what my words were I can't recall.

Q. If Mr. Clark in his testimony here stated that he heard of no repeating whatsoever, you are satisfied then that he was mistaken, are you not?—A. I don't know what Mr. Clark's testimony was. I don't know that he was here, in fact.

Q. If he did testify to that, will you state that he was mistaken, and that you know that he did know something about repeating?—A. No; I won't state so.

Q. You won't state that he knew anything about it, from you or anyone else?—A. No; because he may not have been able to recollect this conversation. I don't know what my words were at the time.

Q. Who did you communicate that information to?—A. To this gentleman, Mr. Richey, I believe is his name.

Q. When did you first communicate it to Mr. Richey?—A. About ten minutes ago.

Q. How did Mr. Richey become acquainted with the fact that you had secured all this valuable information for the contestant?—A. I don't know that it is valuable information, but, as I say, I did not communicate it to him until this morning.

Q. Will you tell us how you came to be a witness here if you did not communicate it until this morning?—A. I believe it occurred in this way: I informed Mr. Wagoner that I saw certain occurrences which took place on election day and that I would be very willing to relate what they were, but at the same time I didn't know in whose favor these occurrences were carried on—didn't know whether in favor of Tom, Dick, or Harry—and I don't know yet.

Q. When did you inform Mr. Wagoner of this?—A. Some time last week.

Q. Do you know Mr. Wagoner?—A. Why, very slightly.

Q. Why did you select Mr. Wagoner to communicate this information to in preference to your Republican committeeman—your friend, as you say, who you started to take a ride with on that day?—A. Why did I? Well, I will tell you, Mr. Butler. I am a man that always believes in clean politics, and I was satisfied that there was something crooked, and inasmuch as Mr. Wagoner was conducting a contest and I happened to be able to communicate with him and inform him of the occurrences, I did so. I would just as soon told you of it, had I run across you.

Q. You say now that you do not know in whose interest these darkies were working?—A. No, sir; I do not.

Q. You don't know how they cast the votes?—A. No, sir.

Q. Was there any conversation dropped of any character to show how they were voting?—A. No, sir.

Q. Nothing of that kind?—A. No, sir; not that I know of, not in my presence or hearing at all.

Q. Do you know George D. Reynolds?—A. Only by sight. I was introduced to him during the campaign, and he merely said, "I am glad to meet you," something of that sort. That is about all.

Q. Do you know Capt. E. H. Loffhagen?—A. No, sir; only by sight. I have seen him. He has been pointed out to me.

Q. Were you a delegate to any of the Republican conventions that were held prior to the last election?—A. I was.

Q. Which one?—A. Why, the one that was held there in Chatsworth Hall on Seventeenth and Olive.

Q. What convention was that?—A. Why, it was to nominate candidates for Congress.

Q. Well, who did they nominate?—A. Well, I attended what you may term, I presume, the first session of the convention. They nominated nobody. I think that was on a Saturday, if I recollect right, and the next day I left town, and they reconvened, I believe, on Monday or Tuesday, and made the nomination, and I believe they nominated Loffhagen, or whatever his name is.

Q. And who else?—A. Mr. Wagoner, I think it was, but I did not attend the convention when the nomination was made. I was out of the city.

Q. The first day of the convention that you attended, what was the reason of its adjournment at that time?—A. Well the chairman got up—

Q. Who was the chairman?—A. A man named Owens.

Q. John B. Owens?—A. I think that was it.

Q. Who was the secretary?—A. Harry Whalen, I think. I am not certain about that, but I think he is the man. I know Whalen.

Q. Tell us what they did on that day.

Mr. RICHY. I object to the question as irrelevant and immaterial, and being asked for the purpose of consuming the time and filling the record.

Q. Now what occurred at that convention?—A. Well, they had, I presume, the usual carryings on of any political convention; appointed several committees on different things relating to the convention, and after these committees were appointed there was an adjournment taken so as to allow these committees time to make their reports, and there was a time set to call the convention to order again after it adjourned the first time; and when this time came around the convention was again called to order, and, if I recollect, the first thing done the reports of the committees were read and adopted, and after that was done I believe that an adjournment took place.

Q. Why did they adjourn then?

(Objected to as before.)

A. Why there was somebody, it may have been the chairman or some one else, that I am not positive of, but somebody made a motion to adjourn, and it was seconded and carried.

Q. You had an adjournment without any nominations being made?—A. Without any nominations being made.

Q. What motive was given for the adjournment?—A. Well, I have got a little ahead of myself. There was a committee of three, I believe, or five, appointed by the chairman of the convention to ascertain whether or not that convention had the power to nominate a man for both the long and short term in Congress, and that committee was instructed, I believe, to consult the city counselor, Mr. Bates, I believe is the name, and if I remember right the convention was adjourned in order to allow this committee time to consult him and make their report. I think that was the reason.

Q. They adjourned at that time. That was the final adjournment on that day?—

A. On that day, so far as I know, it was.

Q. When did they adjourn to? To what date?

(Objected to as before.)

A. I believe it was the following Monday; I think so.

Q. At what time?—A. If I recollect right, it was the following Monday at 1 o'clock. It may have been the following Tuesday. That I am not certain of, but I think it was Monday.

Q. And you say you were not present at the next session of the convention?—A. No, sir; I was not in the city.

Q. Were you present at the other convention that was held that nominated Reynolds for both terms?—A. No, sir.

Q. You were a Loffhagen and Wagoner man at that time, were you not? Were you a Reynolds man?

(Same objection.)

A. Neither: in fact there was some people asked me before the convention was held who I was in favor of, and I told them that I was in favor of anybody, any man who they thought ought to be nominated, I didn't care who, and I proposed to vote that way.

Q. Who was the protest from?—A. There was no protest.

Q. You said so.—A. No; I said before the convention was called people came to me and asked me, "Who do you think it ought to be?" And I told them I didn't know, but I listened to what I heard and formed my own opinion, and would vote accordingly.

Q. You know that that convention finally split into two conventions, and there was two sets of nominees, don't you?—A. I found that out through the newspapers.

Q. Don't you know that caused quite a split in the Republican ranks, and a good deal of soreness between the two parties?—A. No; I don't know that.

Q. Do you think the full strength of the Republican party voted on election day?—A. Well, I really don't know. Mr. Butler, whether they did or not.

Q. Well, do you think so?—A. No; I don't think the full strength of either party voted. There seemed to be a big slump in the vote in this election from what it was two years ago, from what I understand.

Q. Don't you know that the slump was on the side of the Republicans?—A. No; I couldn't tell to save my life.

Q. Don't you know that in one ward in the city of St. Louis alone there was 1,800 less Republican votes than there was at the last election?—A. No, I don't know.

Q. Don't you know that in all of the wards of South St. Louis and the wards in the southern part of the Twelfth Congressional district the Republican falling off was over 50 per cent?

(Objected to as before.)

A. I don't know that I am at liberty to answer that or not.

Q. You are to answer every question that you are asked.

MR. HOLTCAMP. You are at liberty to answer if you know, and what you don't know you are not at liberty to answer.

A. Well, I don't know whether there was any such falling off as you state or not; I couldn't state if there was.

JACOB HUNT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by MR. HOLTCAMP:

Q. State your name.—A. Jacob Hunt.

Q. Where do you live?—A. No. 2236 Center avenue.

Q. How long have you lived there?—A. I have lived there about twenty-four years.

Q. Did you take part in the election held on the 4th of last November?—A. I did.

Q. In what capacity?—A. As a judge.

Q. Democrat or Republican?—A. Republican.

Q. Mr. Hunt, did you notice anything irregular that day in connection with the election, as to the vote that was cast, repeating, or anything?—A. The repeating commenced about 9 o'clock, as much as I can say; a lot of negroes came there, about 20 or 25 of them, and they voted and came back again the second time, and I chased them out.

Q. Did anything else occur later on?—A. Later on the white fellows came on.

Q. How many of them?—A. I can't say. They came in a big bunch, too.

Q. That is the sixth precinct of the Fourteenth Ward?—A. Yes, sir; they came off and on in the afternoon.

Q. Did you make any protest?—A. I did make protest, but I couldn't tell for sure that there wasn't legal voters, but I found out since that lots of them was there that was not.

Q. State in connection with the registration of the ward what you discovered as to the registration from any particular places.

MR. WALSH. We object to this witness testifying as to what he discovered in connection with the registration of the ward, as the duty of investigating the registration devolves on the clerks and not on the judges.

A. Since the election I found that at the house across the street, No. 2229 and 2231 Clark avenue, there was 18 votes cast, and those negroes don't live there.

Q. Eighteen votes cast from that place by men who do not live there?—A. Yes, sir.

Q. What about 2231?—A. Well, that is for two houses, 2229 and 2231, and I found at 2214—I found 8 votes registered from that number.

Q. How many men lived there on election day?—A. Oh, I couldn't tell you; about four or five, or four.

Q. Any other numbers in that precinct?—A. I couldn't say that altogether.

Q. Were you present when the vote was counted?—A. Yes, sir.

Q. Who else was in the room besides the judges and clerks?—A. Judges and clerks and policemen and challengers.

Q. How long did it take you to make that count?—A. About 11 or 12 o'clock.

Q. You were present during the entire time?—A. I was.

Q. And participated in the count?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. In connection with the statement that you made as to who lived at 2214 Clark avenue, you say that you discovered that there were eight there?—A. Yes, sir.

Q. Living there?—A. That was not living there.

Q. How did you discover that?—A. I discovered their names was on the books before the man ever moved in there; that the house was vacant before.

Q. Vacant before what?—A. Before the man moved in what had the house. The man wasn't there at all.

Q. How do you know that?—A. I lived right there.

Q. How do you know the house was vacant before?—A. I know the house was vacant.

Q. You know that no one was living in there?—A. No one at all living there, and these eight names was on there since the mayor's election.

Q. You testified to substantially the same thing in this last contest? Weren't you a witness in the former contest?—A. Yes.

Q. Didn't you testify substantially about the same thing in that contest?—A. Oh, no.

Q. You are a shoemaker?—A. Yes, sir.

Q. And two years ago you owned the place where the voting took place?—A. Yes; I know.

Q. And didn't you testify to exactly the same thing that time?—A. No; nothing of the kind. This is new articles altogether.

Q. Didn't you testify in the last contest that vacant yards had persons registered from them?—A. Yes; there has been from those, but this house wasn't vacant then.

Q. It wasn't vacant two years ago?—A. No, there was a widow woman keeping a boarding house then.

Q. This wasn't a vacant house when you testified two years ago?—A. No, sir.

Q. You are a Republican?—A. I am a Republican, and always have been, and an honest one, too.

Q. Very active, and one that is very straight?—A. I am.

Q. You bend over backward a little in your efforts to be straight, don't you?—A. No, sir; I don't.

Q. Are you the same man who was mixed up with a woman at 1400 Chestnut street?—A. I am not mixed up with a woman at all.

Q. Do you know anybody at Fourteenth and Chestnut?—A. That is a woman that keeps the house.

Q. What is her name?—A. I couldn't tell you her name.

Q. Is that where you live?—A. No, sir.

Q. Where do you live?—A. I live at 2236, and my wife and children live down in the Tenth Ward.

Q. Did you ever live with them?—A. Yes, sir.

Q. Do you stay at home there?—A. I stay at home sometimes in the night, but that is all.

Q. But as a matter of fact you don't live at 2236 Clark avenue?—A. I live altogether at 2236 Clark avenue.

Q. Where does your family live?—A. They live at 4236 Virginia avenue.

Q. And occasionally of a night you go there?—A. No; occasionally during the day. Very seldom I go there at night.

Q. You put in most of your time at 1400 Chestnut with this other woman, don't you?—A. No; I put it in with my family at home.

Q. Don't you spend a large part of your time at 1400 Chestnut?—A. I do not.

Q. What sort of a place is 1400 Chestnut?—A. I don't know; it is a hotel.

Q. Isn't it an assignation house?—A. I don't know what it is.

Q. Well, you know that that is kept for assignation purposes, don't you?—A. I don't know nothing of that at all.

WILLIAM ALTHAUS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. William Althaus.

Q. Where do you reside?—A. 2000 Eugenia street.

Q. Were you connected with the election held on the 4th of November in any official capacity?—A. Yes, sir; as judge.

Q. That was the last November election?—A. November 4.

Q. What precinct and what ward was that?—A. Fifth precinct, Fourteenth Ward.

Q. Did you take any part in the revision of the canvass in that precinct?—A. I did not.

Q. On the day of the election, were you present at the polling place?—A. I was.

Q. Was there any illegal work or improper registering of anyone?—A. No, sir; not as far as I saw; I was a stranger there; I had only been in that neighborhood eight months.

Mr. ROWE. What was that answer?

(Answer read.)

Mr. ROWE. Speak a little louder, so that we can all hear.

Q. Did any persons appear that day and attempt to vote who, in the opinion of the judges, were not entitled to vote?—A. Well, such as did——

Q. Were there any?—A. All those that did appear there that I thought was questionable I rejected.

Q. Well, how many were there?—A. Forty-six rejections.

Q. For what reasons were they rejected?—A. Well, some couldn't spell their names, others didn't know where they lived; such as that.

Q. How many votes were cast on that day?—A. Three hundred and two.

Q. Were you present at the counting?—A. Yes, sir.

Q. Of the ballots?—A. Yes, sir.

Q. How long did that take you to count the ballots from the time the polls were closed?—A. We left the polling place about 3.30, I guess.

Q. In the morning?—A. In the morning; yes, sir.

Q. Who was present in the polling place during the time you counted, besides the judges and clerks?—A. Two officers.

Q. Police officers?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. You are a Republican?—A. Yes, sir.

Q. And did you use all the time that you thought proper and reasonably consistent with your duty as a judge in the counting of the ballots?—A. We tried to make an accurate count.

Q. You did it as speedily as you could after the close of the polls?—A. We certainly did.

Q. Do you know of any illegal votes that were cast at that precinct?—A. There were no illegal votes cast whatever—not to my knowledge, anyway.

Q. And if there were any illegal votes cast or attempted to be cast, you would have objected?—A. We rejected every vote that we thought was not coming.

At 2.30 p. m., not being able to complete the taking of said depositions this day by reason of absence of witnesses, I hereby adjourn the further hearing until to-morrow, December 23, at 10.30 a. m.

St. Louis, December 23—10.30 a. m.

Parties met pursuant to adjournment and said depositions were continued as follows:

PETER WEBER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Peter Weber.

Q. State your residence and age.—A. 3512; 66.

Q. 3512 what?—A. 3512 Olive; 67.

Q. Were you connected in any official capacity with the election held on the 4th day of November?—A. Yes, sir.

Q. In what capacity did you act?—A. As a judge.

Q. In what ward and in what precinct?—A. In the Twenty-second Ward, thirteenth precinct.

Q. Are you a Republican or a Democrat?—A. Democrat.

Q. Now, Mr. Weber, did you take any part in the canvass and revision of the registration in that precinct?—A. No, nothing.

Q. You did not?—A. No, sir.

Q. Did you act as a judge on the days of revision?—A. Yes, sir.

Q. What was the result of that canvass and your count as a judge in that connection? Were there any names stricken off?—A. Well, no, not on that revision; the names were stricken out, 40 or 50 of them, when we went around canvassing.

Q. About 40 or 50, you say?—A. Yes, sir.

Q. Was that reported? Did you see that?—A. I seen it when the book was there on election day.

Q. Do you know for what reason these names were stricken off?—A. I was not there.

Q. On the day of election was there anything irregular in connection with the casting of the ballot?—A. Not until about 7 o'clock.

Q. What occurred then?—A. A challenger came in, then, drunk.

Q. Was that 7 o'clock in the morning?—A. Yes, sir; an hour after the polls opened.

Q. What did you do with him?—A. Asked who he was, what he was there for, and I asked afterwards the police to take him out.

Q. During the casting of the ballot, was there anything irregular or improper done on the part of the voters?—A. None, nothing happened until 5 o'clock.

Q. Five o'clock in the evening?—A. Yes, sir.

Q. What happened then?—A. Mr. Cox came in and wanted to vote; he only lived three days there, and I rejected him and he went down to the city hall and he got a letter and voted.

Q. Now, who was present during the evening while the votes were counted, besides the judges and the clerks?—A. Mr. Lightholder.

Q. Who is this Mr. Lightholder?—A. He was—well, you know who he is, I guess.

Q. Yes, I know, but I want it to go in the record.—A. Yes, we had him.

Q. Who is he? Is he a candidate?—A. We couldn't do the books right and he helped to straighten the votes and the struck votes.

Q. Was Mr. Lightholder a candidate for any office?—A. No, sir; we all agreed that we will have him in to help us through.

Q. Both parties called him in?—A. Yes, sir.

Q. How long did it take you to count the votes?—A. Until about 2 or half past 2 in the morning.

Cross-examination by Mr. ROWE:

Q. You proceeded to count the votes as rapidly as you could, did you not?—A. Yes, sir.

Q. There was no delay of any kind about your procedure? You did that with all convenient speed, did you not?—A. Yes, sir; about 9 or half past, I couldn't mention the man—he is a reporter on the Globe-Democrat—he came in and wanted to have the count of the ballots before we counted ourselves, and I told also the police to take him out; didn't want no disturbance until we got through.

Mr. Rowe. What was that?

(Answer read.)

Q. Was the election honestly and fairly conducted there?—A. Yes, sir; as far as I know.

Q. Was there any illegal or improper votes cast, to your knowledge?—A. No, sir.

Q. You live up there in that neighborhood?—A. I been living in that neighborhood for forty-eight years.

Q. You know a great many of the voters in that locality, don't you?—A. Yes, sir.

Q. And you would not have permitted any person to vote there that you did not believe was an honest and genuine voter, would you?—A. No, sir.

Q. What is your business?—A. I keep a little grocery.

Q. Where at?—A. 3430 Olive.

Q. How long have you been there?—A. Six year there.

Q. How long have you lived in that precinct?—A. Seven year—oh, the precinct? That is eighteen years.

Q. In that locality? In that neighborhood?—A. Yes, sir.

Q. How old are you?—A. Sixty-seven.

ROBERT B. McKELVEY, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTEAMP:

Q. State your name.—A. Robert B. McKelvey.

Q. Where do you reside?—A. 1119 Tower Grove avenue.

Q. How old are you?—A. Sixty-three.

Q. Were you judge or clerk at the election held on the 4th day of last November?—A. I was clerk of the election.

Q. What precinct and ward?—A. Precinct 2, Twenty-fifth Ward.

Q. Did you make any canvass of that precinct?—A. I did, sir.

Q. Were there any names stricken off as a result of the canvass?—A. Yes, sir; 121.

Q. For what reasons?—A. Because they didn't live there; had moved away, some died, and others had changed their boarding houses, etc.

Q. How many voters were registered in that precinct before you made the canvass?—A. Four hundred and thirteen.

Q. You struck off 121?—A. Yes, sir; 121.

Q. How many ballots were cast?—A. Two hundred and ninety-nine—302 altogether—three of them, their names were down before, and we found out they moved, and of course we scratched them—didn't erase them, just scratched them.

Q. On the day of election did anything irregular happen in the casting of votes at that precinct that you know of?—A. No, sir; everything was straight so far as I know.

Q. Were you a Democrat or a Republican clerk?—A. Republican clerk.

Q. How long did it take you to count the ballots cast in the evening?—A. It was 3.45 in the morning when we got through.

Q. Were there any attempts made during the day to vote by parties who were not entitled to vote there?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Were there any fraudulent votes cast at that election, so far as you know?—A. Not that I know of.

Q. How long have you lived in that precinct?—A. About four years.

Q. Do you know a great many of the voters, either personally or by reputation? Do you know a great many of the persons living in that precinct?—A. I know a few, not a great many.

Q. Would you have permitted any fraudulent voting to be done or allowed a vote to be cast there if you knew it?—A. No; not if I found it out.

Q. If you had any information of that sort you would have protested against the vote being cast?—A. Certainly, I would.

Q. There was no vote cast there that you thought was not legal?—A. Only one. A young man came in there, and he kind of—well, some fellows called him crazy—and he didn't know really the number of his house; lived in the back place there, and he had to take a letter out to find out the number. The number was on the letter, the address. I said, "Gentlemen, this looks kind of strange that a man comes in here to vote and he don't know the number of his house that he is voting from." And the other judges and clerks they said they knew this man and that he lived there, and I didn't say anything more; and that is the only one I seen which seemed to be irregular in the whole business.

Q. You don't know whether this person lived there or not, do you?—A. No, sir.

Q. You don't know but what he did live at the number on the letter?—A. I don't know of my own knowledge; no, sir.

Q. There was no intimation of any fraud, nor was there any violence of any kind committed in that precinct that you know of?—A. No, sir; everything was peace and harmony.

HARRY F. BURNES, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Harry F. Burnes, 4220 Swan avenue.

Q. Were you a judge or a clerk at the election held on November 4 last?—A. Judge.

Q. What precinct and ward?—A. Second precinct, Twenty-fifth Ward.

Q. Mr. Burnes, you heard Mr. McKelvey's testimony just now, did you not?—A. No, sir.

Q. I thought you were sitting in the room here?—A. No, sir.

Q. You were a judge in the same precinct?—A. Yes, sir.

Q. Now, during the day was there anything irregular there at that polling place?—A. No, sir.

Q. How long did it take you to canvass the vote in the evening?—A. It was about 4 o'clock when we got through; it was after 4.

Q. In the morning?—A. In the morning; yes, sir.

Cross-examination by Mr. BUTLER:

Q. What is your name, do you say?—A. Harry F. Burnes.

Q. You said you were a judge in what precinct?—A. In the second precinct, Twenty-fifth Ward.

Q. Second precinct of Twenty-fifth Ward, you say?—A. Yes, sir.

Q. You testified just now, I understood, that it took you until what time to count the ballots?—A. Four o'clock.

Q. In the morning?—A. Yes, sir; a little after 4.

Q. What kept you so long?—A. Counting.

Q. You were counting steadily from the time the polls closed?—A. Yes, sir.

Q. You didn't use any dilatory tactics, did you?—A. No, sir.

Q. You worked as hard as you could during that time, you and the other judges?—A. Yes, sir.

Q. What caused the great time spent in making the count?—A. The work we had to do.

Q. What was the particular work which caused the count to be so late?—A. We were counting the ballots; the clerks were fixing up the tally sheets, and we were working pretty steadily.

Q. But what was it that kept you the longest on the count?—A. On the count?

Q. Yes, sir; was it the constitutional amendments; is that what kept you so long?—A. That took up a great deal of the time.

Q. You worked as hard as you could during all that time?—A. I was busy all the time.

Q. There was nothing irregular at that polling place?—A. No, sir.

Q. Everything went along quietly?—A. Yes, sir.

Q. Smoothly?—A. Yes, sir.

Q. You didn't see anything of an irregular nature whatever?—A. No, sir.

Q. You were the Republican judge there?—A. Yes, sir.

EDWARD M. HOPKINS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and place of residence.—A. Edward M. Hopkins, 1417 Old Manchester road.

Q. Were you a judge or a clerk at the election on the 4th day of last November?—A. I was a clerk.

Q. What ward and what precinct?—A. Twenty-fifth Ward, first precinct.

Q. You say you were a clerk or judge?—A. Clerk.

Q. Did you make any canvass?—A. Yes, sir; every house.

Q. Are you a Republican or a Democrat?—A. Republican.

Q. As a result of that canvass were there any names stricken off the registration list?—A. Yes, sir.

Q. How many?—A. I don't remember exactly; a little over 180.

Q. For what reason?—A. On account of the people not living at those numbers; couldn't find them at those numbers.

Q. Were any of these names that you struck off attempted to be voted on the day of election?—A. No, sir.

Q. Now, during the day of election was there anything irregular or improper done in connection with the casting of votes?—A. Nothing further than two men wanted to vote whose names had already been voted.

Q. Were they allowed to vote?—A. No, sir.

Q. How long did it take you to canvass the returns—the ballots and make up the returns?—A. Election morning—election night?

Q. Yes, sir.—A. We got through, I think, about half past 2 in the morning.

Cross-examination by Mr. BUTLER:

Q. You say you worked as a clerk in what precinct?—A. First precinct, Twenty-fifth Ward.

Q. In the first precinct and Twenty-fifth Ward?—A. Yes, sir.

Q. You say you saw nothing irregular excepting the attempted voting of two men who came in and wanted to vote on names that had been voted?—A. That is all.

Q. You refused to permit that?—A. They were not allowed to vote.

Q. That is all the irregularity you observed?—A. That is all.

Q. You worked until what time?—A. 2.30 in the morning.

Q. Until half past 2 in the morning?—A. Yes, sir.

Q. You were working steadily on the count during that time?—A. Yes; worked as hard as we could.

Q. There was a great deal of scratching in that district?—A. Yes; there was considerable.

Q. The constitutional amendments had to be looked into—you had to work on them?—A. Yes, sir; I think there were seven or eight.

Q. They were pretty well scratched, were they not?—A. Yes; they were about evenly divided, if I remember.

Q. Most everybody voted on the constitutional amendments in that precinct?—A. Yes, sir.

Q. Some way or the other?—A. Yes, sir.

Q. You say you saw no irregularity in the voting?—A. No; except these two men that came in to vote.

Q. You are a Republican clerk?—A. Yes, sir; I was.

J. E. KUNKEL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. J. E. Kunkel.

Q. Where do you reside?—A. At 1133a Talmage avenue.

Q. Were you connected with the election in any official capacity on the 4th of last November?—A. Yes, sir; I was a judge.

Q. Democratic or Republican?—A. Republican.

Q. At what precinct and ward?—A. Twenty-fifth Ward, first precinct.

Q. Same election precinct as the one where Mr. Hopkins, who just testified, was clerk in?—A. Yes, sir.

Q. Did you hear his testimony?—A. Yes, sir.

Q. Is your testimony practically the same as his?—A. Yes, sir.

Q. You noticed nothing irregular on that day?—A. Only them two men.

Q. Only those two men?—A. Yes, sir.

Q. How long did it take you to canvass the ballots?—A. Until about half past 2, when we got through.

Cross-examination by Mr. WALSH:

Q. What is your name, Mr. Kunkel?—A. J. E. Kunkel.

Q. And where do you live?—A. At 1133a Talmage avenue.

Q. What were you on the day of election?—A. Judge.

Q. For which party?—A. Republican.

Q. You were a Republican judge?—A. Yes, sir.

Q. I understood you, in response to Mr. Holtcamp's question, to say you saw absolutely nothing irregular aside from the fact of two men coming in and trying to vote that you believed were not entitled to vote?—A. Yes, sir.

Q. These votes were not allowed?—A. No, sir.

Q. What were the names of these two men?—A. Armstrong and Logan.

Q. Do you know who they were?—A. No, sir; only their names.

Q. Who challenged them?—A. Why, the Democrat judge and the Republican.

Q. Both the Democrat and the Republican?—A. Yes, sir.

Q. Both of them challenged them?—A. All of them did.

Q. All challenged them?—A. Yes, sir.

Q. So that the opposition to their voting came just as much from the Democrats as it did from the Republican?—A. Yes, sir.

Q. And just as much from the Republican as from the Democrats?—A. Yes, sir.

Mr. WALSH. We object to the notice calling for this witness, it being before Eugene Buder or J. T. Sanders, and this deposition being conducted before J. T. Sanders.

G. A. REITZ, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. G. A. Reitz.

Q. Where do you live?—A. 2025 Walsh.

Q. Were you connected with the election held on the 4th day of last November?—A. Yes, sir.

Q. In what capacity?—A. As judge.

Q. Republican or Democrat?—A. Republican judge.

Q. At what precinct and ward?—A. Fifteenth Ward, ninth precinct.

Q. At the ninth precinct?—A. Yes, sir.

Q. Now, Mr. Reitz, did you have anything to do with the canvass of the registra-

tion and revision in that precinct?—A. I looked it over and seen that everything was all right.

Q. Any names stricken off?—A. A few of them.

Q. How many?—A. I couldn't remember; somewhere along 25 or 30.

Q. Anything irregular there with respect to the casting of the ballot at your precinct?—A. No; nothing that I seen.

Q. Were there any voters challenged?—A. No, sir.

Q. How many ballots—how many voters were registered after the revision and canvass, about?—A. I think about 250.

Q. How many votes cast, do you remember?—A. I say about 250 cast, about that many.

Q. How many registered?—A. I guess 350.

Q. Were you present at the counting of the ballots in the evening?—A. Yes, sir.

Q. How long did it take you?—A. Until half past 1 or 2 o'clock.

Q. Who was present at the polling place in addition to the judges and clerks?—A. Officer Cullin and Officer Dockery.

Q. Was anyone else present?—A. No, sir; that was all.

Cross-examination waived.

Mr. WALSH. Notification is hereby given to the notary that under the Federal statutes in contested election cases it is necessary for the witness when signing his deposition to do so in the presence of the contestee or his legal representatives, and any depositions which have been signed prior to this date have been signed without reference to this requirement of the statute.

L. H. WOELLMECKE was called and failed to respond, whereupon OTTO OEHMSTED, of lawful age, was produced, sworn, and examined on the part of the contestant, and deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Otto Oehmsted; 3234 Olive street.

Q. Were you connected with the election held on the 4th day of last November?—A. I was; yes, sir.

Q. In what way?—A. I was the Republican judge.

Q. In what precinct and ward?—A. Twenty-second Ward, eleventh precinct.

Q. How long had you been a Republican?—A. How long have I been a Republican? Well, I suppose very near all my life. I voted the Democratic ticket once.

Q. Now, did you pay any attention to the canvass and revision in that precinct?—A. I did. I took it and looked it over.

Q. Do you remember the results of that canvass, as to the number of names stricken off?—A. Yes, sir; some stricken off, some dead, some had left—such as that. That is all I remember.

Q. Do you remember how many were stricken off?—A. Yes, sir; I couldn't tell exactly.

Q. About how many?—A. Fifteen or twenty. Something like that.

Q. Now, on the day of election, was there anything irregular or improper happened there with respect to the casting of ballots?—A. Not a thing; everything went smooth.

Q. No challengers?—A. There was a challenger there in the morning; they objected to him—

Q. Who objected to him?—A. There was no Democratic challenger there and we, just between ourselves, decided we would not have nobody at all; everything went smooth.

Q. Between yourselves—how do you mean, you agreed, the Republican and Democrat judges agreed, not to have challengers?—A. I suppose that is right; there was 493 on the book and there was 293 votes.

Q. There were 493 registered?—A. On the register; yes, sir.

Q. Now, were you present during the counting of the ballots?—A. Yes, sir.

Q. Who else was present besides the judges and the clerks?—A. Two policemen.

Q. Anyone else?—A. Yes, sir; the challenger came in with his credentials about 7 o'clock.

Q. For what party?—A. Democratic.

Q. He was there during the count?—A. No; he was not there at all during anything; we told him to get out.

Q. How long did it take you to make the count?—A. We got through at 8.15 in the morning.

Cross examination by Mr. WALSH:

Q. Mr. Oehmsted, you were present during the entire day on election day?—A. Yes, sir.

Q. The entire voting day?—A. Yes, sir; I am sorry for it, too; had to stay until 8.15 next morning.

Q. Who were you appointed to this position by?—A. Mr. Day, the central committeeman of the Twenty-second Ward.

Q. Charlie Day?—A. Yes, sir; I am pretty sure that is his name.

Q. You said, in answer to a question asked you in direct examination, that you knew of nothing irregular at the polls in that precinct.—A. No, sir; everything was straight; the only trouble was in counting them amendments; everything was straight.

Q. At what time did you get through?—A. We got through at 8.15 in the morning.

FRANK H. MCCOY, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeeth and saith, as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Frank H. McCoy.

Q. Where do you reside?—A. At 504 North Channing avenue, in the rear.

Q. What is your occupation?—A. I am a porter.

Q. Were you connected with the election held on the 4th day of last November?—A. Yes, sir.

Q. In this city?—A. Yes, sir.

Q. In what capacity?—A. As a judge.

Mr. WALSH. Wait one moment. [A pause.] All right.

Q. Are you a Democrat or a Republican?—A. Republican.

Q. Do you know who had you appointed?—A. Charles Day.

Q. Now, was there anything irregular in connection with the election held there on that day?—A. None whatever.

Q. How long did it take you to count the ballots?—A. We got through between 3 and 4 o'clock in the morning.

Q. Did you give the polling precinct and ward?—A. No; Twenty-second Ward, ninth precinct.

Q. Twenty-second Ward, ninth precinct?—A. Yes, sir.

Q. How long have you been a Republican?—A. All my life.

Q. You have always voted the Republican ticket?—A. Yes, sir; always did.

Q. Were there any challengers there on that day?—A. No, sir.

Q. There were no challengers present?—A. No, sir.

Q. Any irregular voting?—A. No, sir.

Q. How many ballots were cast?—A. I think 200; to the best of my knowledge, 268; I don't remember exactly.

Q. Do you remember how many names were registered?—A. About 400, I think.

Q. Did you take any part in the revision of the registration list?—A. I don't understand that question.

Q. Did you have anything to do with the revision of the registration list in that precinct?—A. No; I never.

Q. How?—A. No, sir.

Q. You didn't examine them?—A. Oh, I examined them. I thought you meant did I do the canvassing.

Q. Do you know how many names were stricken off of the registration list?—A. To the best of my knowledge, there were 45 or 50.

Q. Do you know who had you appointed?—A. Charlie Day.

By Mr. WALSH:

Q. Who is Charlie Day?—A. He is the Republican committeeman—Twenty-second Ward Republican committeeman.

By Mr. HOLTCAMP:

Q. Are you acquainted with Mr. Butler?—A. You mean Mr. Butler who is running for Congress? I know the gentleman.

Q. How long have you known him?—A. Oh, five or six years.

Q. Know him pretty well?—A. No, sir; just know the gentleman when I see him; never spoke to him half a dozen times in my life.

MICHAEL SMITH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith, as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Michael Smith.

Q. Did you have anything to do with the election held in this city on the 4th day of last November?—A. Yes, sir; I was clerk—Republican clerk.

Q. You were the Republican clerk?—A. Yes, sir.

Q. In what ward and precinct?—A. Thirteenth precinct, Twenty-second Ward.

Q. What is your occupation?—A. I am a canvasser.

Q. Who had you appointed clerk?—A. Charlie Day.

Q. Now, did you canvass that precinct?—A. I did; yes, sir.

Q. Were there any names stricken off?—A. Yes, sir.

Q. How many?—A. I don't remember exactly—between 40 and 50, I guess.

Q. Were you present during the election?—A. I was.

Q. Was there anything irregular or improper in the election, with reference to the casting of votes at that precinct?—A. No, sir.

Q. Were there any challengers there?—A. There was a challenger in the morning. He came in there and he was pretty drunk, and from time to time he went out. They allowed him to go out several times, and he came in so drunk he didn't know what he was doing, and they objected to him, and in his condition I didn't make any objection to their objection.

Q. How long did it take to make the count? How long did it take to count the ballots and make up the returns?—A. I think we got through at half past 2—close on to 3.

Q. How many votes were cast?—A. Two hundred and twenty-eight, I think it was. I will not be positive about that.

Q. How long have you been a Republican?—A. Well, for quite a number of years.

Cross-examination by Mr. WALSH:

Q. You think there were 30 or 40 persons who had been stricken off the list?—A. I said 40 or 50.

Q. These were persons who had moved?—A. Died or changed their residence—moved out of the precinct.

Q. In the precinct in which you are there are a number of boarding houses, are there not?—A. Yes, sir; quite a number. On Washington avenue there is quite a number, and there is a number between Theresa and Grand.

Q. Practically nothing but boarding houses?—A. Well, on Washington avenue and Lucas there are quite a number of them; then there are a number of families there who do not keep boarders—aristocratic families.

Q. On Olive and on Lindell and on the other street you have named, there are a great many?—A. On Olive and Lucas and on Theresa avenue, yes, sir, there are a number of rooming houses.

By Mr. HOLTCAMP:

Q. Did you make a house-to-house canvass?—A. Yes, sir.

Q. How long did it take you?—A. Took us a little over a day. We started one day and finished up the next.

SIMEON HARRIS, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Simeon Harris; 3412 Pine.

Q. What is your occupation?—A. I have charge of traveling salesmen for —— at 1130 Washington avenue.

Q. Were you connected with the election on the 4th day of last November?—A. Yes, sir; I was a judge three days and a clerk two days.

Q. Well, when were you a judge and when were you a clerk?—A. I was a judge on registration and revision day and election day, and a clerk on the two days of the canvass; we had no Republican clerk there.

Q. Did you make the canvass?—A. Yes, sir.

Q. What ward and what precinct?—A. Twelfth precinct and Twenty-second ward.

Q. What was the result of that canvass so far as striking off names is concerned?—A. I think we struck off between 110 and 140; I couldn't say right now the exact number; I know it was over 110 and I think it was nearer 140.

Q. What for?—A. Either removals or deaths; we have had a great many removals, for there are considerable rooming houses in that district.

Q. On the day of the election did you see anything irregular or improper there in the way of casting ballots?—A. Just a single instance there; I don't think it was anything irregular about that. One party came in to vote and his name was marked "voted" on one book and not on the other. I knew he had not voted, that it was a mistake of a clerk in marking the book "V;" I knew the man and knew he had not voted, so we let him vote.

Q. Were you present at the count?—A. Yes, sir.

Q. Who else was present?—A. I don't know anybody else except the police.

Q. How long did it take to count the vote?—A. We were through between half past 11 and 12.

Q. How many votes were cast?—A. I think 260.

Cross-examination by Mr. Rowe:

Q. You had been a Republican in politics for how long a time?—A. Well, ever since I was 17 years old.

Q. You have been quite an active member of your party, have you not?—A. Well, the last six years; yes, sir.

Q. And you kept up with the progress of events in your party?—A. Yes, sir; I have.

Q. Do you recollect the time that George R. Reynolds was a candidate?—A. I do; yes, sir; I have good reason to recollect it.

Q. Do you recollect seeing in the press, in the Republican press of the city of St. Louis, a communication as follows: "Bolters nominate G. D. Reynolds. George Reynolds was nominated Saturday afternoon by a few bolting Republicans as a candidate for Congress in the Twelfth Congressional district. The regular convention of the Republicans in the Twelfth district, after five hours' work Saturday, decided to make the nomination Monday afternoon at 2, and a few bolters became dissatisfied because they were not in the majority but in the minority, and after the regular electors left the hall the bolters got together and nominated Mr. Reynolds."—A. What did you ask me about that?

Q. Do you recollect having seen any communication of that kind in the press?—A. I don't recollect having read the communication, but I know that happened.

Q. You know that took place?—A. I was a delegate to that convention.

Q. You know that to be a fact?—A. Yes, sir; I may have read the article; I don't remember.

Q. You know the fact to be as herein stated?—A. Yes, sir.

Q. What convention were you a delegate to?—A. To the Congressional convention who nominated candidates for the short and long term.

Q. Do you recollect when that convention met?—A. I think the first Saturday in October, but I am not sure about the day. I know there was a mass meeting on Friday night, I think it was.

Q. Do you recollect where?—A. At Seventeenth and Olive; that is, the first day of the convention.

Q. When did the convention proceed?—A. On the Monday following.

Q. Whom did you nominate?—A. They nominated Captain Loffhagen for the long term and George C. R. Wagoner for the short term.

(Objected to as incompetent, irrelevant, and immaterial and being drawn out for the sole purpose of consuming the time of the contestant.)

Q. Do you know anything about there being two conventions?—A. I only know of one convention that nominated Captain Loffhagen and Mr. Wagoner.

Q. You didn't know anything about the convention that nominated Mr. Reynolds?—A. No, sir.

Q. Mr. Harris, I believe you made two affidavits before Charles M. Jones that were sent on to the house?—A. Yes, sir; I did.

Q. In one of these affidavits you say that in precinct No. 3 of the Fourth Ward, which precinct lies wholly within the said Twelfth Congressional district, contains the names of 575 registered voters claim entitled to vote at said election; that said registration list for the said precinct shows that 15 are registered from one place, 29 from another, 34 from another place, and 44 from another place, or a total of 122 voters claimed from the four places in said precinct, and together constituting more than one-third of the greater number registered from said precinct.—A. I recollect making that affidavit; yes, sir. Those figures were taken from the official list published by the board of election commissioners.

Q. You don't know anything about the 15 voters, do you, that were registered from that one place?—A. I don't know anything except what is on the list.

Q. You don't know whether they are legal voters or not?—A. No, sir; I don't know anything whatever about that.

Q. I am just asking you.—A. I make no claim to know.

Q. And the same with reference to the 29 and 34 and 44?—A. Precisely the same.

Q. You made no personal canvass of the precinct and do not know whether they were bona fide and lived at the places where they were registered?—A. I don't know, sir; simply the mere fact that they were registered.

Q. The fact that they were registered; the list shows that number were there?—A. That is all. That came about through my being in the election commissioners' office supervising the official count. These lists were given to me and that is how I came to make the affidavits. I don't know a single illegal voter there.

Q. The same applies with reference to your second affidavit, as to the 31 voters registered from 3696 Manchester avenue, the 17 voters from 3701 Manchester avenue, and 110 from 3865 Forest Park boulevard?—A. Precisely the same.

Q. You knew nothing whatever about whether they were properly registered or improperly registered?—A. Nothing whatever.

Q. You don't know whether they voted or did not vote?—A. No, sir.

Q. You had no personal knowledge with reference to the matter, and in this affidavit you simply say that you found the registration list contained a certain number who were registered, and you made affidavit that such and such a number were registered from such and such a place?—A. Yes, sir; that is precisely it.

Q. Now, at the convention that was held at Seventeenth and Olive was there a nomination made on the first day of the meeting of the members of the convention?—A. For Congressman?

Q. Yes, sir.—A. No, sir.

Q. What was the purpose of the meeting there?—A. The purpose was to nominate candidates for Congress.

Q. When did they adjourn to?—A. The convention decided at about 2 o'clock in the afternoon that it was their desire to get ex-Mayor Walbridge to run for Congress, and they decided to adjourn, after transacting all the other business, until Monday afternoon at 2 o'clock, in order to consult him.

Q. Who was chairman of the convention?—A. John B. Owen was the permanent chairman.

Q. Where did they adjourn to?—A. To meet at that same hall. On Monday afternoon when they went to the hall they found it had been rented to somebody else, and they were compelled to go, and did go, to the Merchants' League.

Q. They then proceeded to nominate Mr. Loffhagen?—A. And Mr. Wagoner.

Q. Who was chairman at that convention?—A. John B. Owen.

Q. Who was chairman of the convention who nominated Mr. Reynolds?—A. I don't know who was chairman nor who was nominated. Mr. Wagoner was not truly nominated by the convention. The opinion of the convention was that they could not legally nominate him for the short term, but they adopted a resolution unanimously indorsing the petition which Mr. Wagoner had had signed by the requisite number.

Q. They simply indorsed him?—A. Yes, sir; that is what they did.

Q. You were one of the judges of election?—A. Yes, sir; I was.

Q. You examined the ballots? Was Mr. Wagoner on that ticket as the nominee of the electors or on the ticket as the nominee of the Republican party?—A. He was on the Republican ticket.

Q. He was not on the ticket as a nominee of electors?—A. I don't know. That ticket received no votes, and I had my hands full with the tickets that were voted. We received only the Republican and the Democratic tickets and three votes for the Allied party. There were no votes for the Merriwether ticket. We only concerned ourselves with the tickets that were voted. I really couldn't tell you whether he was on as nominee of electors. I never looked at the ticket at all.

Q. Didn't you look at the ticket to see if his name was on there as a candidate for Congress nominated by electors?—A. I certainly did not; I certainly did not.

At this point (12.04 noon) a recess was taken until 2 o'clock p. m.

Parties met at 2.20 p. m., and the hearing was resumed as follows:

P. T. SCHARFFENBERGER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. 1217 Montrose avenue.

Q. Were you an election official in the election held on the 4th of November?—A. Yes; I was Republican judge.

Q. What precinct?—A. Twelfth precinct, Thirteenth Ward.

Q. Did you have anything to do with the revision of the registration list?—A. No, sir.

Q. Take any part in that revision?—A. No, sir.

Q. Do you know how many names, if any, were stricken off when the books were turned over to you?—A. About 85, I guess, or 87 stricken off.

Q. Who had you appointed as a judge?—A. Mr. Ludwig, the central committeeman.

Q. On the day of election was there anything irregular or improper in connection with the ballot cast that day?—A. No, sir; I think our precinct was pretty near the cleanest in St. Louis.

Q. How many votes were cast?—A. About 298, I guess.

Q. Were there any attempts made at repeating there at all in your precinct?—A. No, sir.

Q. How long did it take you to count your ballots in the evening?—A. We got done about between 2 and 3 o'clock the next morning.

Q. Who was present during the time you were counting them besides the judges and clerks?—A. Two police officers.

Q. Anyone else?—A. I believe there was two challengers.

Q. Who were they?—A. The Democratic challenger was Thomas McGauley and the Republican challenger Rudolph Schmidt.

Cross-examination by Mr. WALSH:

Q. Do I understand you to say that you were the Republican judge?—A. Yes, sir.

Q. As Republican judge you had absolutely nothing to do with the canvass of the precinct, did you?—A. No, sir.

Q. Do you understand the duties of a judge?—A. Yes, sir.

Q. In that connection, from your knowledge of the law, is it your duty to canvass the precinct for the purpose of discovering who are not residents?—A. No, sir.

Q. That is a duty that belongs to the clerk, is it not?—A. Yes, sir.

Q. Do you know whether or not they performed that duty?—A. Well, as far as I can understand, they did.

Q. Did you on the day set aside for the revision of the registration under the clerk's canvass—did you officiate on that day?—A. No, sir.

Q. You did not?—A. No, sir; I did not look into their affairs at all.

Q. But were you present on the revision day?—A. Yes; I was present on that day.

Q. Was everything then carried on by you according to your knowledge of the law?—A. Yes, sir.

Q. Were all those that failed to respond to the calls of the clerks and the notices subsequently sent out stricken from the list?—A. Yes, sir; we scratched them from the list.

Q. So far as you know, then, there was absolutely nothing irregular in the canvass of the registration and the subsequent revision?—A. Not in my precinct.

Q. And you feel perfectly satisfied that your precinct was the best of all of those in St. Louis?—A. Yes, sir; I do.

Q. That is according to your view?—A. That is my view.

Q. Everything was carried out as nearly as possible in conformity with the law?—A. Yes, sir.

RUDOLPH J. SCHMIDT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Rudolph J. Schmidt.

Q. Where do you live?—A. 3019a Hickory street.

Q. Were you judge or clerk at the election of November 4, last?—A. Clerk.

Q. Republican or Democratic?—A. Republican.

Q. Did you canvass the precinct in which you were clerk?—A. Yes, sir.

By Mr. WALSH:

Q. What ward and precinct?—A. Thirteenth Ward, twelfth precinct.

By Mr. HOLTCAMP:

Q. What was the result of the canvass?—A. Well, we scratched 85, I believe, off of the list.

Q. What for?—A. They were removed and some dead.

Q. Who canvassed the precinct with you?—A. The Democratic clerk.

Q. Who was he?—A. Patrick Reedy.

Q. Were you present on the day of election?—A. Yes, sir.

Q. Anything unusual or irregular in connection with the casting of the ballot there?—A. No, sir.

Q. Were you present all day?—A. Yes, sir.

Q. Do you know through whom you were appointed clerk?—A. Mr. Ludwig.

Q. Were you present when the ballots were counted?—A. Yes, sir.

Q. How long did it take you to count those ballots?—A. I guess about between 2 and 3 o'clock we finished up.

Q. Did you sign the returns?—A. Yes, sir.

Q. Who was present during the time the ballots were counted?—A. Four. Two clerks and two judges—and two officers, too.

Q. Anybody else?—A. And there was a gentleman from the custom-house, I think was in there; I think his name was Tatum.

Q. Did he take any part in the count or anything?—A. No, sir; he just came in there.

Q. Were there any attempts made to cast any irregular or illegal votes there that day?—A. No, sir.

Q. What time do you say you finished?—A. About between 2 and 3 o'clock.

Q. Have you ever acted as a clerk before?—A. No, sir.

Q. Is that your first experience?—A. Yes, sir.

Q. How old are you?—A. 25.

Cross-examination by Mr. WALSH:

Q. Who was this Mr. Tatum you say?—A. Why he was from—sent down there from the post-office I think. That is what he said.

Q. Said he was sent down from the post-office?—A. I don't know as he was exactly sent down. He came there. He was working for the postmaster.

Q. Working for the postmaster?—A. Yes, sir.

Q. Did he say he was working for Mr. Baumhoff?—A. Mr. Baumhoff, I think.

Q. That was your understanding of it?—A. Yes, sir.

Q. Mr. Baumhoff is the Republican incumbent at present of the St. Louis post-office, isn't he?—A. I think he is; yes, sir.

Q. These men that were stricken off the list; do you know why they were stricken off the registration books?—A. Well, they had moved, and some of them died. Different things.

Q. Regular reasons?—A. They simply were—they were not there, that is all.

Q. And you struck off every one according to what you were required to do under the law?—A. Yes, sir.

Q. And as far as you observed there was absolutely nothing irregular about this election held November 4, 1902?—A. No, sir.

Q. Now the count was taken in accordance with the number of votes cast?—A. Yes, sir.

Q. You proceeded with all dispatch possible in counting up the votes?—A. Yes, sir.

Q. The ballots?—A. Yes, sir.

Q. Made no effort to delay the count?—A. No, sir.

Q. Did you have any reason to make any effort to delay the count?—A. No, sir.

Q. Was there any effort on the part of anybody to delay it?—A. No, sir.

Q. As soon as you completed the count did you sign the tally sheets?—A. Yes, sir.

Q. And then proceeded to the election commissioners' office?—A. Well, I never went to the election commissioners' office. I was a clerk.

Q. Oh, you were a clerk?—A. Yes, sir.

Q. And as soon as the count was completed, that count having been carried out with all possible haste, you signed your returns and the judges departed?—A. Yes, sir.

Q. With the ballot boxes, etc.?—A. Yes, sir.

Q. That is absolutely no trouble and no difficulty of any character there?—A. No, sir.

By Mr. HOLTCAMP:

Q. Who were the other judges and clerks?—A. Robert Scharffenberger was the Republican, and there is another Scharffenberger, he was a brother, he was also a Republican judge. Harry Mathews was a Democratic judge and James McGauley.

Q. Did you know any of them before election?—A. Yes, sir; knew them all.

Q. Were you well acquainted with them?—A. Yes, sir.

Q. How?—A. Yes, sir.

Q. Who had charge of the ballot box that day?—A. Harry Mathews. He was the one that put the ballots in the box.

Q. Who did the counting that night?—A. All the judges helped count. They were all there.

Q. Did you know the Sharffenbergers?—A. Yes, sir.

Q. How long had you known them?—A. Six, seven, or eight years.

Q. Were you present there during the vote?—A. Yes, sir.

Q. Didn't leave at all?—A. No, sir.

By Mr. WALSH:

Q. Mr. Schmidt, you were in there to look after the Republican interests?—A. Yes, sir.

Q. And you did look after those interests to the best of your ability, didn't you?—A. Yes, sir.

Q. You didn't act in collusion, nor was any effort made to induce you to act in collusion, with the Democrats for the purpose of causing any fraud, was there?—A. No, sir; none at all.

By Mr. HOLT CAMP:

Q. How long have you been a Republican?—A. Ever since I have been a voter.

Q. How long have you been a voter?—A. Five years.

Q. How?—A. About four years.

ROBERT WALKER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeseth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. State your name.—A. Robert Walker.

Q. Where do you reside.—A. Hotel Barnum.

Q. What ward and precinct?—A. Fourth Ward, third precinct.

Q. Mr. Walker, did you pay any attention to the election held on the 4th of November, in this city, last?—A. Yes, sir.

Q. Where were you most of the day?—A. I was around all the polling places.

Q. In your ward, you mean?—A. Yes, sir.

Q. Did you see anything irregular in connection with the vote cast on that day?—A. I wasn't allowed in any of the polling places. I simply seen crowds going from one polling place to another. That is all I saw.

Q. State what you saw when you first saw those crowds going from one polling place to another. How many were in the crowds?—A. In the first place that I saw anything of that kind was in the second precinct, close to 7 o'clock in the morning.

Mr. WALSH. Which precinct is that?—A. Second.

Q. What ward?—A. Fourth Ward.

Q. State what you saw.—A. I saw a crowd which was going into the polling place several times. I saw the same crowd in the first precinct and later on I saw them in the seventh precinct. Later on I saw them at the fifth precinct.

Q. How large a crowd was that?—A. Well, it varied from 15 to 20 and 25 sometimes.

Q. Were they under the apparent leadership of anyone?—A. I could not say.

Q. How often did you see them going into any single polling place?—A. Well, I wasn't allowed to stay very long. I saw them two or three times.

Q. You say you were not allowed to stay very long?—A. No, sir.

Q. What do you mean by that?—A. I was ordered away by the police.

Q. How often?—A. As often as I stayed.

Q. From the various polling precincts?—A. From several; not all of them.

Q. Was that while these crowds were there?—A. Yes, sir.

Q. What did the police say to you? How did they order you away?—A. Told me I had to stay away.

Q. How far away? What were the instructions?—A. 100 yards or 100 feet; I don't remember just exactly what they did say. I couldn't stay within that far of the polling place.

Q. Did you know any of those parties?—A. I did not.

Q. You say you saw practically the same individuals visit all these different precincts during the day?—A. I did.

Q. Did you see them come into the polls?—A. I did.

Q. Did you notice whether or not they had any slips of paper?—A. No, sir; I couldn't see any.

Q. How long would they remain in the polling place?—A. Not very long.

Q. Did you see them leave any single polling place and go to another one?—A. I did.

Q. Now state where.—A. I saw them leave the second precinct and go to the first, and from there go to the third, and so on.

Q. Did that continue during the entire day?—A. No; during the early hours of the morning at the most, and during the later hours of the afternoon it was most.

Q. Did you pay any attention to a registration in the ward?—A. I did.

Q. What precincts particularly?—A. Paid attention to all of them.

Q. What did you discover in connection with the registration? Any irregularity?—A. Well, from what I could gather; only from what I could gather. I was never allowed to see the poll books; only from what information I got from others, my clerks and judges.

Q. What was it?

(Counsel for contestee objects to any hearsay that the witness endeavors to introduce, or anything that he does not know of his own knowledge.)

A. I know what I heard them state.

Mr. HOLT CAMP. You have been reading newspaper articles and everything else here.

Mr. WALSH. Who has?

Mr. HOLTCAMP. You have.

Mr. WALSH. We simply asked if the party had heard and read certain articles, and submitted what we had to them.

Q. You may answer the question.—A. In several precincts there was no canvass made to begin with; all the way from—some precincts as high as 800 names, from what I could gather, were on the books. There was absolutely no canvass made from the registration books, and probably 6 or 7 precincts.

Q. How long have you lived in that ward?—A. I have practically lived in the ward twenty-six years, I think.

Q. Have you always taken an interest in elections in that ward?—A. I have taken an interest—a great deal of interest—in the last ten or twelve years.

Q. In the registration at the different elections?—A. Yes, sir.

Q. I will ask you to state how the registration for this election held last November compares with the registration of former years?—A. It was a good deal greater than it has ever been before.

Q. Do you know any instances in which judges were refused permission to officiate on that day in any of the different precincts?—A. What do you mean by "refused?" By whom?

Q. I don't know; that is what I want to get at.—A. I believe all of them served with the exception of two that were beaten up. One that left the polling place in the third precinct in the afternoon.

Q. Who were they, do you remember?—A. One was a man named Mertz, and the other one was Gustav Schmidt. Another was Fritz Meyer—P. F. Meyer, I think it is.

Q. Were you around any of the polling places after the polls had closed?—A. Yes, sir.

Q. Did you see anything irregular in any of them during the count of the ballots?—A. I wasn't allowed to see.

Cross-examination by Mr. WALSH:

Q. These crowds that were going around, Judge, did you notice any particular individual with whom you were personally acquainted who seemed to be in charge of them?—A. None of them.

Q. Going with them?—A. No, sir.

Q. When you were ordered away from the polling place—you are familiar with the laws—the election laws of this State—aren't you?—A. To some extent.

Q. You know that there is a law which requires all those not engaged in voting to remain away at least 100 feet from the entrance to the polling place. There is such a law, isn't there?—A. If there is, it wasn't enforced on all sides.

Q. Well, that law also prohibits electioneering within 100 feet of the polling place, doesn't it?—A. I believe so.

Q. And you were candidate for justice of the peace in this district, weren't you?—A. I was.

Q. And you were endeavoring to electioneer and secure as many votes as you could for yourself and your party, weren't you?—A. Not on that day, sir.

Q. Weren't you making any efforts on that day to secure votes?—A. No, sir.

Q. You say that you saw some of these men in these crowds that you speak of go into the polling place?—A. Yes, sir.

Q. About how long did they remain inside of the polling place?—A. Well, first—first they went in and didn't stay over three or four minutes.

Q. The entire crowd only stayed three or four minutes?—A. No, sir; in accordance with the time they went in.

Q. Each individual occupied—A. Two or three minutes, sometimes; maybe not that much.

Q. Each individual occupied about two or three or four minutes?—A. Yes, sir.

Q. In the polling place?—A. In the ratio of the time they went in.

Q. What precinct did you first observe this crowd at?—A. In the second precinct.

Q. And what next?—A. First precinct.

Q. Then what next?—A. Third.

Q. Then what next?—A. Fourth.

Q. What next?—A. Seventh.

Q. What next?—A. Sixth.

Q. What next?—A. I think the next was the fifth.

Q. What next?—A. Ninth. Then I went back to the eighth precinct again.

Q. What next?—A. That is all the precincts there was, I believe, in the ward.

Q. That is, there was only 9 precincts in the ward?—A. Yes, sir.

Q. Now, when did you first notice that?—A. About a quarter to 7 in the morning.

Q. And when did you last see them?—A. Between 5 and 6.

Q. In the evening?—A. Yes, sir.

Q. Now, you say—was the crowd any larger than 15 at any time?—A. Sometimes it was.

Q. About how much larger?—A. Ten larger.

Q. About 25?—A. About 25, at its most.

Q. What time did you see them at the third?—A. Well, now, I didn't keep the particular hours on all of them; but I saw them during different times of the day at those precincts. I didn't put down in my mind exactly the hours all of them appeared. I am particularly familiar with the first precinct, the third and seventh—first, second, third, and seventh.

Q. All of the information, Judge, that you have with reference to the registration in this district is what you received from other parties?—A. Yes, sir; and through some personal investigation.

Q. Now, what was the nature of the personal investigation?—A. At the election commissioners' office.

Q. Is that the only investigation you made?—A. Yes, sir. I made two canvasses of the ward. I had the canvasses made.

Q. Who made those canvasses?—A. I had seven or eight people make them.

Q. Who were the seven or eight people?—A. I can't recollect them now, I don't think. A man named Coulter attended to that.

Q. His first name?—A. Richard.

Q. Richard Coulter?—A. Yes, sir.

Q. Was he one of your appointees?—A. I think he was. I don't know whether he served now or not. I am not sure. He was one of my appointees, though.

Q. What was the position that you had him appointed to?—A. I don't know. I may have a memorandum that may be able to show that. I wanted him for clerk, I think. I don't know whether I have the memorandum with me or not. I think he got sick a few days before election; had a carbuncle or something. I don't know whether he served or not, to tell the truth. [After examination of memorandum.] I think he served, Mr. Walsh.

Q. In what capacity, do you remember? As a clerk?—A. I think he served as a clerk.

Q. In what precinct?—A. Eighth precinct.

Q. Eighth precinct?—A. No, I take that back. Sixth precinct.

Q. Sixth precinct, Fourth Ward?—A. Yes, sir.

Q. And he made a canvass of the precinct?—A. Yes, sir. He was about the only one that made a canvass; him and one in the ninth precinct.

Q. Do you remember his name?—A. In the eighth precinct?

Q. Yes.—A. There was a gentleman named George C. Weisel.

Q. Now, all of the clerks and judges who were suggested by you to the election commissioners were appointed, were they not?—A. They were not.

Q. They were not?—A. No, sir.

Q. Didn't I understand you to say in your direct examination that all of the judges and clerks selected by you had been appointed.

Mr. HOLTCAMP. I want to state that there was nothing like that brought out in the direct examination at all.

The WITNESS. Mr. Holtcamp asked me if all the men that went into the polling place served that day, and I said they did, with the exception of two who were beat up, and one who left in the afternoon.

Q. Those who were appointed as judges and clerks in that ward on the Republican side or for the Republican party, at whose suggestion were they appointed?—

A. Well, they were appointed at my suggestion, finally, but all were not accepted as I put them in in the beginning.

Q. All of those who did serve were appointed upon your suggestion, weren't they?—A. Yes, later on; yes, sir.

Q. Men that you knew to be stanch Republicans and men that you could depend on?—A. As far as I could know anything.

Q. That is what I mean. And your knowledge is derived from long experience as a working Republican in your party?—A. Yes, sir.

Q. You have always been quite active in your party, Judge, haven't you?—A. I think so.

Q. That is, for a number of years?—A. Yes, sir.

Q. And you have had exceptional opportunity for becoming acquainted with all of the Republicans practically in your district, haven't you?—A. Yes, sir.

Q. You make it your business to mix around and get acquainted with them?—A. I don't know how well I mix. I get around a little bit.

Q. Well, you are quite a mixer. Now, the question was asked you in the direct

examination as to how the registrations prior to November 4, 1902, compared with previous registrations, and you stated that it was much larger?—A. Yes, sir.

Q. Now, how does the vote that was cast on November 4, 1902, compare with the votes cast at previous elections in the district?—A. I believe it is less.

Q. It is less?—A. Yes, sir.

Q. Now, don't you know that there were a great many Republicans who failed to vote?—A. Likewise Democrats.

Q. In answering that you say there were Democrats who failed to vote also?—A. Yes, sir.

Q. You are well acquainted with the inside affairs of the party during the time preceding the election, are you not, Judge?—A. Yes, sir.

Q. Are you or were you a party to a suit which was filed to the October term, 1902, by Theodore D. Kalbfeld et al, plaintiff, and John M. Wood et al, defendants?—A. How is that?

(Question read.)

A. If I was, I don't know it.

Q. Do you know any of the following gentlemen: Theodore D. Kalbfeld, Gus J. Lang, C. H. Wittthoeft, John C. Bensick, Christ Schawaker, John B. Owen, Louis Becker, John H. Becker, Edward J. Bauman, Louis Alt, William H. Clark, Charles F. Wenneker?—A. William H. Clark?

Q. Yes.—A. Or William H. Clarkson.

Q. Clarkson, is it? That is a mistake in the record then. Thomas K. Niederinghaus, Charles D. Comfort, Charles E. Carroll, and Samuel F. Meyerson. Are you acquainted with any of those gentlemen?—A. I am acquainted with every one except W. H. Clark.

Q. You say that should be William H. Clarkson?—A. Well, I don't know. I won't say. I don't know what you have there.

Q. If I ask you are you acquainted with William H. Clarkson, what is your answer?—A. I am; I answer, yes.

Q. Who were all of those gentlemen? What position, if any, did they hold with reference to the Republican party organization prior to October 1, 1902?—A. They were all members of the Republican city central committee; that is, so far as I know, not being a member of that body at that time.

Q. Do you know the following gentlemen: P. H. Clark, Fred Krejsman, George P. Weinbrenner, Ed Koeln, William H. Blake, G. W. Schlingmann, C. O. A. Brunk, J. D. Meyer, William H. Judy, Louis Sheperkoetter, W. H. Hahn, William J. Broeker—do you know any of those gentlemen?—A. Not all of them.

Q. Who and what were they prior to the 1st day of October, 1902, with reference to the Republican city organization?—A. Well, I am not able to say whether they were all members of the committee or not, because I was not a member of the city central committee at that time.

Q. Are you at the present time?—A. I am.

Q. A member of the city central committee?—A. Yes, sir.

Q. When did you first become a member of the city central committee?—A. Became a member at the primaries held in the fall.

Q. Of 1902?—A. Yes, sir.

Q. Under whose auspices, and pursuant to what call were those primaries held?—A. Pursuant to a call of the Republican city central committee.

Q. The Republican city central committee which issued that call consisted of the members of the old committee?—A. I can't name them off now.

Q. About how many members of the old city central committee joined in the issue of that call?—A. I think there was about 21 of them, wasn't there, of the old, and seven of the new.

Q. That seven of the new, how did they become members of that committee?—A. Became members of the committee through a ruling of the State central committee.

Q. Isn't it a fact, that those members who became members of that committee were named after an adjournment of a convention which was held by the city central committee at which an effort was made by the Republican city central committee, or a portion of it, to pool issues with the Public Ownership party?—A. Mr. Walsh, you are asking me about things I took no concern in and I know nothing about. I was not a member of the city central committee. What led up to this I am not familiar with.

Q. As an active working Republican, you are familiar with most of the things which occurred in the party?—A. I can't tell what occurs in a body like the central committee if I am not there.

Q. Don't you know that the Public Ownership party, so-called, of which Mr. Lee Meriwether was the reputed head, made an effort to pool issues with the Republican

party, and have placed on the Republican ticket a number of candidates for certain offices selected by Mr. Meriwether and his followers?—A. I think there was an effort of that kind made.

Q. Isn't it true that the city central committee split on that question?—A. I won't say about that.

Q. Well, isn't that your knowledge? The best information that you have?—A. No, I can't say that it is.

Q. Well, didn't you receive such information?—A. No, sir; I did not. I was not a member of the committee at that time.

Q. Are you a member of the Twelfth Congressional Republican committee?—A. I am not, sir.

Q. Were you present at a convention which was held in Chatsworth Hall on the 4th day of October, 1902?—A. I was not.

Q. Do you know anything about the convention which was held there of your own personal knowledge?—A. I do not.

Q. Have you received any information from delegates who were present at that convention?—A. I may have heard some talk at the time; I can't recollect it now.

Q. Did you receive any official communication from that convention or its delegates?—A. No, sir; I did not.

Q. In your capacity as a city central committeeman?—A. No, sir.

Q. Were you present at a convention which was held at what is known as the Merchants' League Club on Pine street?—A. I was not.

Q. In this city?—A. No, sir.

Q. Are you a member of the Merchants' League Club?—A. I am, so far as I know.

Q. How can you discover within your own mind whether or not you are?—A. I have not been up there in so long I don't know what kind of standing I am in.

Q. Are you a member of the St. Louis Republican Club?—A. I am.

Q. As far as you know is your name still on the record of the Merchants' League Club?—A. So far as I know; yes, sir.

Q. You have not been ousted for cause?—A. Not that I know of. There has been nothing referred against me that I know of.

Q. Judge, was there not a meeting held in the office which you occupied as justice of the peace of the city central committee?—A. Of the city central committee?

Q. Or the so-called city central committee?—A. No, sir; not a meeting of the city central committee was ever held there.

Q. Was there a meeting held in your office after the split in the city central committee?—A. There was a meeting, but not of the city central committee.

Q. Who met there and what was the meeting called for, and by whom was it called?—A. Well, I didn't call it and I can't exactly remember now what parties were there. It was shortly after the State committee had adjourned at the Lindell Hotel; it was either that night or the next night afterwards; I don't know.

Q. What was the nature of the meeting of the State committee just prior to its adjournment? What were they called here for?—A. They were called to take some action with regard to the central committee.

Q. Do you recollect what the nature of the action was?—A. I could only get it from others. I could only say what I heard from others.

Q. Do you know why that State central committee, Republican State central committee, came here?

Mr. HOLTCAMP. He has already answered that.

The WITNESS. Mr. Walsh, I can't say.

Q. Don't you know that they came here for the specific purpose of settling a dispute which had arisen between factions in the Republican city central committee?—A. No; I won't answer to that in that way.

Q. Isn't that your best information—that they did come here for that purpose?—A. I can only say from what I heard. I can't say what they came here for.

Q. As Captain Holtcamp has insisted that you answer what you heard, I shall insist on the same. Tell me what you heard—what your knowledge derived from that source is.

Mr. HOLTCAMP. I didn't insist—I beg pardon—on his answering what he heard at all.

A. I can't say that I heard any reason from any person that I can say would be responsible for what he said.

Q. Who did you hear it from?—A. People that had less right to know more than I did. I can't name any in particular.

Q. Were they members of the Republican party?—A. Seemed to be.

Q. Who were these very unreliable people?—A. I say—I don't say they are unreliable. I say I don't see how they should have any reason to know better than I did, and I wasn't satisfied.

Q. There was some Republican making unreliable statements about some factions in the city?—A. No, sir; about the purpose of the State committee coming down here.

Q. What was the statement that was made by that unreliable Republican?—A. Nothing more than that they would get to work and straighten out the difficulties that had arisen in their ranks.

Q. Now, what was the difficulty?—A. I can't say that.

Q. Well, what was done in your office on the occasion of this meeting?—A. Mr. Walsh, I don't think there was anything more done than to try to get up some petition to go before the people on an elector's ticket.

Q. For whom?—A. Oh, it was for several people.

Q. Who were these several?—A. I think Judge Zimmerman was one. I think he got up a petition one night for Judge Henderson, the probate judge, and probably Lou Zepp; three or four petitions—I don't know exactly how many.

Q. Who did you succeed, Judge, as a member of the central committee?—A. William H. Judy.

Q. Well, was Mr. Judy associated in the factional fight?—A. I don't believe, as friendly as I am with Mr. Judy, that he ever told me anything about it.

Q. You and Mr. Judy are very great personal friends, aren't you?—A. Yes, sir.

Q. Did you ever attend any convention of which Mr. George C. R. Wagoner was nominated?—A. I did not.

Q. Do you know personally of any convention at which Mr. George C. R. Wagoner was nominated for any office prior to November 4, 1902?—A. Not personally; no, sir.

Q. Do you know Capt. E. H. Loffhagen?—A. I do; very well.

Q. Do you know whether or not he was a candidate for any office prior to the election held November 4, 1902?—A. If he was, I never heard it.

Q. Never heard of it?—A. Except up until about, say, a few days before, I heard he was out for Congressional honors.

Q. In the Twelfth district?—A. Yes, sir.

Q. And he was nominated for one of the terms in the Twelfth Congressional district?—A. That I don't know, only through the papers and through outside talk.

Q. The general source from which you receive all your political information, isn't it?—A. Oh, no; I get knowledge sometimes outside of the papers.

Q. Do you think the papers very unreliable?—A. Not always.

Q. In political matters?—A. No, sir; I don't see that they are.

Q. Did you get this information with reference to Captain Loffhagen's candidacy through the papers?—A. Yes, sir.

Q. Did you consider that information reliable?—A. Yes, sir; I had no right to dispute it.

Q. Was there any information with reference to Captain Loffhagen's candidacy introduced or brought out at the meeting held in your office?—A. No, sir; absolutely not.

Q. Not referred to at all?—A. I don't think it was thought about at the time.

Q. What Congressional candidate was before you at that time?—A. That never came before us there. I don't think we had a Congressional committeeman there.

Q. What was the date of that meeting? Do you recollect?—A. No, sir; I can't recollect it.

Q. Was there at that meeting any reference made to a split in the Republican city central committee?—A. No, sir; nothing of the kind came up, Mr. Walsh. We were busy trying to get out some petition to go before the people. Electors on an electors' ticket.

Q. Who attended that meeting?—A. I can't name all.

Q. Name as many as you can.—A. There were 25 or 30; may be more, may be less, I can't say.

Q. Who presided at the meeting?—A. I can't say that anybody presided, Mr. Walsh.

Q. Was it just an informal?—A. Yes, sir; an informal gathering there for the purpose of getting up petitions which had to be signed, I think, in the next day or two and gotten out.

Q. Who notified you of the intention to hold a meeting?—A. I was asked by somebody if they could use my office for a few hours that evening.

Q. Who was that?—A. I can't say whether it was somebody who is a candidate—I can't recollect now to save my life who it was.

Q. Was it Mr. Wagoner?—A. Oh, no; Wagoner wasn't thought about. I don't think Mr. Wagoner's Congressional matters came up at that time at all.

Q. Was it Mr. John B. Owens?—A. No, sir.

Q. Was Mr. Owens present at that meeting?—A. No, sir; I don't think he was. I'm sure he wasn't.

Q. Who were? Were the committee of the district?—A. Oh, no. There were nothing of Congressional matters thought about at that time.

Q. I mean with reference to the city central committee, Judge?—A. I was there myself, and I ain't sure but what Mr. Blake was there.

Q. W. H. Blake?—A. Yes, sir; and I ain't sure but what Mr. Zepp was there.

Q. Louis Zepp?—A. Yes, sir; Judge Zimmerman—I can't recollect all of them now. There has been a good many things running through my mind since that time.

Q. Did you meet any place else that evening prior to meeting at your office?—A. No, sir.

Q. Wasn't the meeting originally called at the new city central committee's headquarters, and adjourned to your office?—A. Not to my knowledge.

Q. About what time was the call made on you for the purpose of meeting there?—A. I don't know, Mr. Walsh. Some time in the early part of the evening.

Q. Early part of the evening?—A. Yes, sir.

Q. Now, was that 6 o'clock?—A. I think it was a little later than 6 o'clock. Between 6 and 8, somewhere.

Q. Did you proceed directly to your office?—A. Oh, no; not directly.

Q. Where did you go before that?—A. Probably went and got supper; attended to some of my business and went up there after that.

Q. Did you attend a meeting anywhere else?—A. No, sir; not that evening. I may have been down to the Lindell Hotel, but I don't know of any meeting there.

Q. Was Mr. P. H. Clark there?—A. I don't know, Mr. Walsh. I don't believe he was; he may have been there.

Q. Was Fred Freismann?—A. No, sir; I don't think he was.

Q. George P. Weinbrenner?—A. I don't think he was there.

Q. Mr. Koehn?—A. I don't think so.

Q. F. W. Schlingmann?—A. Probably Schlingmann was there.

Q. C. O. A. Brunk?—A. I don't think Brunk was there.

Q. John D. Meyer?—A. I hardly think he was there.

Q. William H. Judy?—A. He wasn't there.

Q. Louis Schaeperkoetter?—A. I am not going to answer precisely on that.

Q. Just to the best of your memory, Judge?—A. I don't think he was there.

Q. W. H. Hahn?—A. I kind of believe Hahn was there.

Q. William J. Broeker?—A. I don't think he was there.

Q. Was August J. Lang there?—A. I don't think he was.

Q. C. H. Witthoef?—A. No, sir; he wasn't there.

Q. John C. Bensiek?—A. No, sir.

Q. Christ Schawaker?—A. No, sir.

Q. John B. Owen?—A. No, sir.

Q. Louis Becker?—A. I don't think so.

Q. John H. Becker?—A. No, sir.

Q. Edward J. Bauman?—A. No, sir.

Q. Louis Alt?—A. No, sir.

Q. William H. Clark?—A. No, sir. Clarkson, I suppose you mean.

Q. Clarkson, yes. Charles F. Wenneker?—A. No, sir.

Q. Thomas K. Niederinghaus?—A. No, sir.

Q. Charles D. Comfort?—A. No, sir.

Q. Charles E. Carroll?—A. No, sir.

Q. Samuel Myerson?—A. No, sir.

Q. The last gentlemen whose names I have called constituted that portion of the committee which had been ousted by the other portion of the city central committee, didn't it?—A. If they were ousted, I guess they were the ones.

Q. As that committee consists now these gentlemen have all been ousted, haven't they?—A. Oh, no; you mean they are all out of the committee now?

Q. No; as the committee consisted at the time of the calling of the primaries?—A. Yes; they were all out of the committee, I believe.

Q. They had already been ousted by a portion of the committee and the—A. Well, by the State committee, if they were ousted at all.

Q. Well, under the pretended right of the State committee to reorganize the city central committee?—A. I won't say whether it was pretended or not. I won't say that.

Mr. HOLTCAMP. If the notary please, I want to serve notice on contestee's counsel now that if this line of examination continues I shall call the witness off the stand. It is not responsive to the issues in this case at all.

Mr. WALSH. We desire to object to the threat which is being made by the contestant's counsel, which has no other object than to prevent the introduction of evidence which, in itself, must prove fatal to the contestant's claim.

Q. Do you know of any call that was issued for the purpose of electing delegates to a convention for the nomination of Republican candidates for the Twelfth Congressional district?—A. Absolutely not, Mr. Walsh.

Q. Know nothing about any call?—A. No, sir.

Q. And you are a committeeman?—A. I am not Congressional committeeman; I had other matters to attend to. That was left to the Congressional committeemen.

Q. Do you know anything of your own knowledge or from information you have received as to whether or not the new committee, the new Congressional committee, and the Congressional committee which nominated George D. Reynolds, held daily session for the purpose of endeavoring to restore harmony in the Republican party?—A. No, sir; Mr. Walsh: I was not there at any of the meetings, and knew nothing about what was going on, except at the time probably I saw the papers. I can't recall from memory now what the newspapers stated. I was busy with other matters, and it was a matter that did not concern me, and I left it to the people that I thought had a right to take care of it.

Q. You were a candidate for office and were making exceptional efforts for your own election, were you not?—A. Not any further than in my own ward.

Q. That is what I mean, in your own ward. Did you become a member of the city central committee after its alleged reorganization?—A. I don't see how you could fix that, to say that I would be a member.

Q. Was there not a reorganization of the city central committee?—A. Wasn't Mr. Judy committeeman up to the time of the primaries? How could I be a committeeman?

Q. I want to find out. I don't understand?—A. I don't consider I was a committeeman until the primaries were over and I was elected.

Q. You were regularly elected. Now, did you act as city central committeeman prior to that time?—A. I can't say that I did. I sometimes attended meetings by proxy. I don't think I even done that; no; not of the old committee; not for several months before.

Q. Do you know George C. R. Wagoner?—A. I do; very well.

Q. How long have you known him?—A. I have known Mr. Wagoner, I judge, twelve or thirteen years. Ten or twelve years.

Q. Ten or twelve years?—A. Yes, sir.

Q. Did you know him in 1893?—A. Yes, sir; not as well as I do now.

Q. Did you know anything of the filing of an application by Theodore D. Kalbfell and others before the supreme court of the State of Missouri?—A. I know it from the newspapers.

Q. Do you know whether or not a petition was filed by the parties I have named against the election commissioners, John M. Wood and others, asking for a writ of prohibition?—A. Yes; through the newspapers.

Q. Did you have no other knowledge of the fact?—A. I may have heard some talk about it.

Q. Don't you know that the city central committee so-called, prior to November 4, 1902, the city central committee of the Republican party, performed the acts of the city central committee in defiance of the writ of prohibition issued by Judge Waltour N. Robinson, judge of the supreme court of the State of Missouri?—A. Not so far as I am concerned.

Q. And that he is a supreme judge who was elected on a Republican ticket?—A. I don't think that had anything to do with my case.

Q. I am asking if you knew that?—A. I only know that through what the papers stated.

Q. Did you see the ballots on election day?—A. What ballots?

Q. The ballots that were presented.—A. I saw the ballot I voted. That is all.

Q. The ballot you voted?—A. Yes, sir.

Q. Did you look at it?—A. Certainly I looked at it.

Q. Did you see in that lot of ballots that you looked at any ballot for nomination by electors?—A. I did not. I didn't look for it.

Q. Do you know on what ballot the name of George C. R. Wagoner appeared?—A. No, sir; I can't say that I do remember that now. I didn't bother with anything except amendments.

Q. Do you know whether or not the name of George C. R. Wagoner was on the Republican ballot?—A. I wouldn't be positive of that, Mr. Walsh, now. If it was there, I voted it. There was a good string of names on there; but I can't remember every name on there.

Q. Do you know the residence or house 418 Lucas avenue?—A. Ought to know it pretty well.

Q. Then, I infer that you do know it?—A. Yes, sir.

Q. Whose place is that? Who is it conducted by?—A. Conducted by me.

Q. What is it?—A. A lodging house.

Q. Do you know any of the names which appear on the printed list marked "List of registered voters, Fourth Ward, first precinct, October, 1902," at 418 Lucas avenue?—A. Very few of them.

Q. And you run that house?—A. Yes, sir.

Q. How many of them do you know?—A. I think I know two or three of them.

Q. Will you give those names?—A. I don't know. I haven't looked at that list for some time.

Q. Well, just those names that you know?—A. There is a fellow named Bell and Roach there.

Q. What is Roach's first name?—A. I don't know.

Q. Is it William?—A. I can't say.

Q. What is the other name, Bell?—A. Yes, sir.

Q. What is the first name?—A. I don't know that, either.

Q. Is it Edward?—A. I can't say.

Q. Do you know any other names of any individuals residing in that place; that lodging house?—A. No; I don't know, Mr. Walsh. I haven't much to do with it myself; I let others run it.

Q. Your brother runs it?—A. No; he don't.

Q. Who does?—A. I have others run it.

Q. Oh, I thought you said your brother. If I state that there are 21 names registered from that house can you account for those 21, or those 19 whose names you don't recall?—A. Can I account for them?

Q. Yes.—A. I will say that there wasn't 21 people entitled to register from there.

Q. There were not 21?—A. No, sir.

Q. And that is your house; run by persons employed by you?—A. Why, certainly.

Q. And is directly under your control?—A. Certainly.

Q. And you are a Republican city central committeeman?—A. Yes, sir; I never got a chance to see these names until the list was printed.

Q. In that particular precinct you had a clerk?—A. I had a clerk who never got to see the books long enough to make a canvass.

Q. Didn't make a canvass?—A. No, sir.

Q. Did he make an effort to make a canvass?—A. I suppose he did from what he tells me.

Q. Your information is—A. What he tells me.

Q. From him?—A. What he tells me.

Q. That he didn't see the books and that he didn't make a canvass; that he didn't attempt to make a canvass?—A. Oh, no.

Q. Did he attempt to make a canvass?—A. From what I gather from him he did.

Q. You gather from him that he attempted to make a canvass, but that he did not make a canvass?—A. Oh, no.

Q. Now, just put that in whatever words you will so I can understand.—A. I will say that in probably six or seven precincts out of the nine, from what I gather, that the canvass was not made from any registration books at all. They were given in place of them the old registration of 1900 and 1901 to go around and strike off names from that, instead of taking them from the registration books as they should have done.

Q. That is, the canvass that was made by the Republican clerks was made from the old slips?—A. In some cases, and in some cases there was no canvass made at all.

Q. When did this information first come to your knowledge?—A. Three, four, or five days before election.

Q. When should they have made that canvass?—A. Ought to have made it several days before that.

Q. Several days before five days before election?—A. I don't know just what time it should have been in, you know. I couldn't get from the election commissioners any information that I wanted.

Q. The 14th of October was revision day?—A. Yes, sir; it was the last day of revision.

Q. Now, it was prior to the 14th of October that the canvass should have been made, wasn't it?—A. Yes, sir.

Q. And up until five days before the 4th of November, which would be about the 29th of October, you had received no information?—A. Why, I complained right along.

Q. Well, what did they do, and what did you do in connection with these complaints?—A. I went to see the Republican election commissioner, and he said he was powerless in the matter. Then the board got together. I saw Mr. McCaffery, and saw Mr. Wood—Judge Wood—and on three or four occasions they ordered the canvass to be proceeded with, even after that.

Q. After what?—A. After that time; three or four notices ordering the clerks to go out and make the canvass as it ought to be done. Even then the time was so short it ran into a Sunday, and they canvassed on the Sunday before election, even.

Q. That was up to within three or four days of election?—A. Yes, sir; they canvassed on Sunday.

Q. On the 14th of October had you any complaint, or had you prior to the 14th of October made any complaint with the way in which they conducted the canvass?—A. Yes, sir.

Q. What steps did you take about it?—A. I saw Mr. Aloe at the election commissioners' office.

Q. Mr. Aloe is the Republican election commissioner?—A. Yes, sir.

Q. He told you he was powerless?—A. I couldn't get no satisfaction; I could get his word.

Q. He merely explained to you why he was powerless?—A. He said he was only one of the board.

Q. Didn't he state to you that that duty was one which devolved directly on the clerks?—A. Yes, sir.

Q. And those clerks had been appointed by you—at your suggestion?—A. Yes, sir. Well, they couldn't do anything. My clerks—the Democratic judges took the books and my clerks couldn't get at them.

Q. Well, it isn't a matter of argument, Judge; it is a matter of fact. The fact is that the clerks were appointed at your suggestion and they failed to perform their duty, isn't it?—A. No; they couldn't perform their duty.

Q. What efforts, if any, did they make to your knowledge to canvass that district, or any district?—A. I had them up before the election commissioners time and time again—different sets of them; had them copy names and run it along daily until Sunday.

Q. That was within five days of election?—A. Why, yes; I couldn't get nobody to act before that day.

Q. You couldn't get anybody to act?—A. In the election commissioners' office. My clerks were willing to go ahead and do their duty but the other clerks wouldn't meet them, and they couldn't get the books and copy the names as they should have done.

Mr. KINZEY. What other clerks?

The WITNESS. The Democratic clerks.

Mr. WALSH. Now, I object to this question, which is put by a gentleman who is in no way associated in this contest, a gentleman who is a pure outsider.

Mr. KINZEY. Well, that is in line with the other statements you have made in this matter.

Mr. WALSH. Where does Mr. Kinzey's name appear in connection with any of these matters?

Mr. HOLTCAMP. Where does mine appear?

Mr. BUTLER. We have a letter from Mr. Kinzey stating that he is not attorney for the contestant.

Mr. WALSH. Mr. Kinzey wrote a letter to Mr. Butler, the contestee, telling him not to pay any attention to any notice which was left at Mr. Butler's house, as he was not engaged in the George C. R. Wagoner contest.

Mr. KINZEY. I did not. I wrote a letter to Mr. Butler not to pay any attention to a certain notice of contest that was left at Mr. Butler's house in St. Louis, but to pay attention to one served upon him in Washington. I did not say I was not connected with the case. I'll state now that if I want to ask a question here or interpolate something into the record, I will do so.

Mr. WALSH. All right. I wanted to note your official entry into the case, as this is my first acquaintance with you in this case. (To the witness) Well now, to get ahead—on the part of your clerks, your efforts were not very prominent until about five days before election, were they?—A. So prominent that I got to work as soon as I could.

Q. Which was about five days before election?—A. That is the best I could do, Mr. Walsh.

Q. Yes, but that didn't occur before the 14th of October?—A. Oh, yes; I was up there long before that time.

By Mr. HOLTCAMP:

Q. How soon prior to the election did you first see the registration list concerning which Mr. Walsh has examined you?—A. I never did see them until they were printed.

Q. How soon before election was it?—A. About—I guess—I don't believe I got

them all even up to including election. They were not all printed up to the time election took place.

Q. Did you try to get them?—A. They were not printed in some precincts; one precinct I believe was not printed up to the time of election.

Q. You had no knowledge of the registration from 418 Lucas avenue at all until after you had seen this list?—A. No, sir; no way on earth to know.

Q. Did you make any effort to obtain from the Democratic clerks and judges these books so that the Republican clerk could make his canvass?—A. Well, I only spoke about it to the proper officers. I never tried to do anything with the Democratic clerks and judges.

Q. You went to the election commissioners?—A. Yes, sir.

Q. For that purpose?—A. Yes, sir.

Q. The Democratic judges and clerks had possession of the books?—A. Yes, sir.

By Mr. WALSH:

Q. Who is P. F. Meyer?—A. P. F. Meyer?

Q. Yes.—A. Traveling man.

Q. Where does he live?—A. He resides at Hotel Barnum at different times.

Q. At different times?—A. Yes, sir.

Q. How long at any one time?—A. I guess Meyer lived there, off and on, a month at a time or two months at a time. He always had a sample room there. He puts his goods there, and I believe, in season, the fall and spring, he has samples there. Sample room, that is all that he has. He sleeps there a good deal. I understand he is a married man, and sometimes his wife is visiting with her folks and he comes down town and stays a month or so at a time.

Q. But he has not a permanent residence at the hotel, has he?—A. Well, not by the year, as you would say; but he is there pretty constantly. I guess Meyer has a room there six months in the year.

Q. Does he register?—A. Yes, sir.

Q. What room does he occupy?—A. Well, he occupies different rooms, just as the case may be. If there is one room he can get, he gets it, and if he can't get that, he takes another.

Q. Where does he reside when he and his wife are keeping house together?—A. Mr. Walsh, I don't know.

Q. Where does he reside now?—A. I understand he is out on the road.

Q. Does he still occupy quarters at your hotel?—A. His mail comes there. He was there since—probably the best part of the summer he is there.

Q. His mail?—A. Yes, sir; and he has been there the best part of the summer.

Q. Looking after his sample room?—A. Well, there is seasons they don't do it, and there is other seasons they expect to do it. He is out now and probably will be out until the 10th or 15th of January.

SIMEON HARRIS, being recalled, further testified as follows:

Mr. HOLTCAMP. Mr. Harris wants to correct a statement made in his testimony.

The WITNESS. I stated in answer to a question by you that when the polls closed nobody was present but the judges and clerks of election and the officers. What did happen, when they closed nobody was present immediately after the closing of the polls because we had ordered supper for 7 o'clock and we didn't want anybody in there when we were eating supper. After supper was over and during the progress of the count we did permit, and there were several people coming in and out, candidates and those interested in the candidates, during that evening.

Q. Did they participate in any way in the counting of the ballots?—A. None whatever. Didn't touch a ballot.

Mr. WALSH. Did you ask for their exclusion?—A. No; on the contrary, we told them to let them in as long as they didn't interfere with us.

Q. As long as they didn't interfere, you allowed them to come in?—A. Oh, yes; yes, sir.

Q. It was quite a stormy night, wasn't it?—A. Yes, sir; pouring down rain. There was Republican as well as Democratic candidates in there.

Q. And they stood around in the place more like watchers than anything else?—A. They didn't do anything except they wanted to know how many votes were cast for the Democratic ticket and how many votes for the Republican, and the standing of the candidates.

Q. They didn't interfere in any way?—A. Not in the slightest.

Q. As a matter of fact, their presence there assisted you more, and acted rather as a safeguard to the count than anything else?—A. Well, they weren't worrying us.

Q. No necessity to worry?—A. No, sir.

Q. Everything went all right?—A. Yes, sir.

Not being able to complete the taking of said depositions this day by reason of absence of witnesses, I hereby adjourn the further hearing until to-morrow, December 24, at 10 o'clock a. m.

(Adjourned at 3.40.)

ST. LOUIS, *December 24, 1902.*

Pursuant to adjournment as above stated on this 24th day of December, A. D. 1902, parties met and by reason of absence of witnesses, I hereby adjourn the further hearing until Friday, December 26, at 10 o'clock a. m.

Pursuant to adjournment, as above stated, on this 26th day of December, A. D. 1902, parties met, and owing to absence of witnesses a recess was taken until 2 o'clock p. m., at which hour I continued the taking of said depositions as follows:

R. T. HIGGINS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeseth and saith, as follows:

Direct examination by C. W. HOLTCAMP, Esq.:

Q. Where do you reside, Mr. Higgins?—A. No. 6437 Cheltenham avenue.

Q. What is your occupation?—A. At the present time I am a carpenter in the carpentering business.

Q. Were you in this city on the 4th day of last November, the day of election?—A. Yes, sir.

Q. I will ask you to state whether or not you made any examination of the registration lists.—A. Yes, sir; I did. In the thirteenth precinct of the Twenty-fourth Ward.

Q. Is that where you reside?—A. Yes, sir.

Q. State the result of that examination.—A. I saw the list and looked it over, and I saw in the block where I lived. On the northwest corner there was a number registered from there, and that being a vacant lot I took particular pains to inquire into the matter somewhat.

Q. With what result?—A. Why, I found something like 14, I think, registered from 400 Wise avenue.

Q. Is that a vacant lot?—A. Yes, sir.

Q. No building on that lot at all?—A. No, sir.

Q. Did you make any further examination?—A. I called on some of the parties that were registered there, and they were a block from there, some of them, and some of them two blocks from there. I can only remember a portion of the names; it has been some time since I looked at the list.

Q. But the place on Wise avenue from which 14 were registered is a vacant lot?—A. Yes, sir.

Q. Did you make any further examination concerning the registration of that precinct?—A. I called on some of the parties that were registered.

Q. I mean beyond that.—A. No.

Q. Any other numbers of vacant lots?—A. No, no further; I didn't get the list until late in the evening before the election.

Q. Were you connected in any way with the election that day as a judge or clerk?—A. No, sir.

Q. On the day of the election were you present at the polls?—A. I voted, and I was there something like half an hour or an hour, perhaps.

Q. Did you see any of those parties attempt to vote from this number?—A. No, sir; I did not.

Q. Do you know whether or not that list was revised?—A. Not to my knowledge; it was not. They didn't call at the house where I lived or made any inquiry about it, and nowhere in the block that I know of.

Cross-examination by Mr. WALSH:

Q. Did you say they were at your house?—A. No, sir; they were not.

Q. How do you know that?—A. My sisters that lived there told me there didn't any one come there.

Q. Does your sister remain at home at all times?—A. Yes, sir.

Q. She never leaves the house?—A. One of them has not left the house for over a year.

Q. An invalid?—A. Yes, sir.

Q. Does she answer the door?—A. No; but my other sister has not been away from the house, because she has to take care of her. Neither one has left the house for a year.

Q. And you are satisfied from the fact that they tell you that there has been no canvass of that precinct?—A. Yes.

Q. That is what you base your knowledge on?—A. Yes, sir.

Q. You say you went to some people who were registered from vacant lots?—A. Yes, sir.

Q. They lived up near there?—A. Yes, sir.

Q. Did they tell you they were registered from vacant lots?—A. Yes, sir; I talked with some of them about it.

Q. What did they tell you?—A. They said they were told that was the correct number.

Q. That they were registered from what they understood to be the correct number?—A. Yes, sir.

Q. Those people were good citizens and were bona fide voters?—A. Yes, sir; from their own showing.

Q. But they made a mistake in giving the number?—A. A block away, and some of them two blocks.

Q. So it was simply a question of the number they were registered from?—A. Yes, sir.

Q. And you took that number from the printed list?—A. Yes.

Q. And you did not see whether they were correctly registered on the registration books or not?—A. No, sir.

Q. Never made any investigation of that?—A. Had no chance to.

Q. How did you find out that these people were the people registered from the numbers that they are purported to be registered from on the printed lists?—A. I knew where they lived; I knew their names, and knew it was wrong, so I went there and inquired why they were registered from that number.

Q. According to the printed list?—A. Yes, sir.

Q. When you saw their names on the printed list from a certain number you went and informed them that the printed list contained the wrong address?—A. Yes, sir.

Q. And that is all you know about that registration?—A. Yes.

Q. Those people whom you did see and talked to, they were on the printed list as registered from a certain number; it was merely a mistake in the printing of the list?—A. I think not.

Q. Didn't the people tell you they were regularly registered?—A. From 6400; they remembered it distinctly.

Q. From 6400 what?—A. 6400 Tamm avenue, I think they were registered from.

Q. Who were these people that told you that?—A. One was William Drew.

Q. Where did William Drew live?—A. He lived on the north side of Clayton avenue or Berthold avenue.

Q. He lived on Berthold avenue?—A. Yes, sir.

Q. And where was he registered from?—A. He was registered from 6400 Tamm.

Q. You are sure he was registered from 6400 Tamm avenue?—A. Yes, sir.

Q. Now, if I tell you that Mr. Taylor, a witness who testified before a notary in these depositions, stated that Mr. Drew registered from Manchester avenue but actually lived on Tamm avenue, will you qualify your statement?—A. Well, I don't know anything about Mr. Taylor's testimony.

Mr. HOLTCAMP. I object so far as counsel for contestant is concerned; I don't know of a Mr. Taylor having testified in this case, and particularly to that effect.

Mr. WALSH. We object to the objection made by the counsel for contestant, for the reason that it is frivolous and intended to take up time and encumber the record.

Q. Where did Mr. Drew live?—A. He lives close to Berthold; about 200 or 300 feet, close to 300 feet from Tamm avenue.

Q. Doesn't he live in a tent?—A. Yes, sir.

Q. And is that tent a numbered residence?—A. I don't know about that; I don't know that there is any number there.

Q. Now, don't you know as a fact that Mr. Drew gave the number that he voted from at the previous election?—A. I don't know, sir; I wasn't at the election when he voted.

Q. Don't you know he has lived there for over two years in that tent?—A. He has lived there some time; I can't tell how long.

Q. Don't you know that he was there at the last election?—A. That is at the last election; yes, sir.

Q. And don't you know that he voted from there at the last election?—A. No, sir; I don't know that he voted.

Q. Did you interest yourself in the matter of the registration at the last election?—A. So far as I was concerned myself, I did.

Q. Are you in any way familiar with the election laws, Mr. Higgins?—A. Why, in a measure. I have read them over.

Q. Don't you know that when a man lives in a precinct and establishes the point to the satisfaction of the judges, that he is entitled to vote in that precinct?—A. No, sir; I don't know that.

Q. Don't you know that when a man is living at one address in a precinct and moves in that precinct to some other address in the same precinct that he is entitled to vote in that precinct on election day?—A. I believe that that is so.

Q. You know that Mr. Drew has been living there for over a year?—A. Yes; well, somewhere near that.

Q. Now, do you know that he attempted to vote from more than one place?—A. No; I don't know anything about that. I wasn't a judge or clerk, nor at the polls very long.

Q. The only thing was that you assumed that Mr. Drew was not entitled to register from the point he registered from?—A. I assumed that there being so many from 6400, there was something wrong about the registration of all of those men from a vacant lot.

Q. Who were some of the other men that you saw besides Mr. Drew?—A. I saw Mr. Gruner, I think.

Q. Who else did you see, Mr. Higgins?—A. I don't know the names now.

Q. Well, you saw a number of others who were registered from 6400 Manchester avenue?—A. One or two there.

Q. Who are they?—A. Well, two, I think, over by the park, about two or three blocks, in the third block from there.

Q. Do they live in a tent, too?—A. Yes, sir.

Q. And does Gruner live in a tent?—A. Yes, sir.

Q. Now isn't it a fact that all of these men that you saw were men who lived in tents?—A. No, sir. Oh, yes; those that I saw; yes, sir.

Q. And had been living there for at least a year prior to the election?—A. No, sir, I think not, for I hired one man, and I think that he moved in there much less than a year; last fall some time he was putting up a tent, and he hasn't got it even covered yet; that is, he hadn't got it covered two or three weeks ago.

Q. You hired one man?—A. I hired him to do some work, yes.

Q. And he started in a year ago, and hasn't got the roof on his tent yet?—A. Not a year ago; about the first of October, I think.

Q. Was he one who registered from that number?—A. Yes, sir; from 6400.

Q. And he was in your employ?—A. I had him at work a short time hauling some posts.

Q. Is it your idea, or do you want to convey the idea, that these men deliberately registered from points that they had no right to register from, and that they did it with fraudulent and illegal intentions?—A. I don't know as my idea would cut any figure in the case.

Q. I am asking you if that is what you are trying to convey by your statements?—A. I am trying to convey that there were some men registered from 6400 that did not live there.

Q. Well, they lived in tents in that immediate neighborhood?—A. Yes, and some lived at a boarding place right across the street from where 6400 would be; something like, I think, six there. There were two by the name of Bennett, I think, that was registered from 6400 that didn't live there, where there was a vacant lot; couldn't live there. I forget all the names.

Q. But they all lived in the precinct here referred to, the thirteenth precinct of the Twenty-fourth Ward?—A. Yes, sir.

Q. And so far as you know were bona fide voters and entitled to vote?—A. No, sir; I don't know that.

Q. Do you know anything to the contrary?—A. Well, I don't know anything that I can swear to the contrary.

Q. You can't say that neither one of these men were not entitled to vote, can you?—A. Yes; I think some of them, I think I can say, but I wouldn't like to under oath, that they moved from another tent.

Q. Don't say anything that you wouldn't like to say under oath.—A. I will say this, that they moved there, and wasn't there a year in all. Where they moved from to that place I don't know, but they didn't live there a year.

Q. You don't know where they moved from?—A. No.

Q. You don't know a thing about them aside from the fact that you suspect they had no right to vote from the place from which they were apparently registered according to the printed slips?—A. Yes, sir.

Mr. HOLTCAMP. Which printed slips do you mean—those used on election day?—A. The registration.

Mr. WALSH. We object to the interpolation of this statement by the counsel for the contestant, for the reason that it is intended to introduce into the record a circumstance which the contestant has been vainly endeavoring to introduce by witnesses, but which up to this time has never been referred to except by the attorneys for the contestant.

Q. The printed slips I refer to are the printed slips or lists which you refer to when you state that you had locked up the names on the registration points.—A. The printed paper that I saw was the official printed list, gotten out by the election commissioners.

Q. Now, do you know that it was the original official printed list?—A. I think so, because my brother got it from the election commissioners' office.

Q. Who is your brother?—A. Jerome S. Higgins.

Q. A gentleman who at one time officiated in a capacity of some description in connection with the election commissioners' office?—A. I think so.

Q. And secured some notoriety, didn't he?—A. I don't know.

Q. He is known as "Map" Higgins—a map maker?—A. I don't know.

Q. He is the man who officiated in the contest in which Mr. Horton was a party, against Mr. Butler?—A. I think so. I think he had something to do with that.

Q. Are you a man who mixes up to any extent in politics, Mr. Higgins?—A. No, sir.

Q. Are you acquainted with the political conditions existing in the city of St. Louis?—A. Well, I know something of the conditions, but I don't know very much of them.

Q. You know something, but you don't know very much. Do you know of the conditions that existed in the Republican party just prior to the election of November 4, this year?—A. In what way do you mean?

Q. Well, in connection with the candidates for Congress?—A. I know who ran for Congress, if that is what you mean.

Q. Who?—A. Mr. Wagoner was one, Mr. Reynolds was another, Mr. Barthold, Mr. Joy, and Mr. Hunt.

Q. Mr. Hunt wasn't a Republican candidate, was he?—A. Did you ask for the Republicans? I will leave him out, then.

Q. Did you hear of a gentleman by the name of Loffhagen in connection with the Congressional candidacy in the Twelfth district?—A. What is the name?

Q. Loffhagen; Capt. E. H. Loffhagen.—A. No; I think not.

Q. You didn't hear of him?—A. I might have heard, but I have forgotten it.

Q. When did you first learn that Mr. Wagoner was a candidate for Congress?—A. Well, now, I can't say.

Q. Well, did you hear of it prior to election day?—A. Oh, yes.

Q. How long before?—A. I can't say that.

Q. Well, do you know whether he was regularly nominated a candidate, or how he became connected?—A. I presume so, by the election commissioners putting it on the ballot.

Q. Well, it wasn't put on the ballot until election day, was it, officially?—A. It was published; announced.

Q. Do you know, then, that the election commissioners did put him on the ballot?—A. Why, I think so.

Q. Do you know whether or not that was the result of any convention which met to nominate Mr. Wagoner?—A. I am not posted in regard to those things.

Q. Were you ever a delegate to any convention?—A. I think I was once.

Q. I mean prior to November 4, in connection with the election held then.—A. No, sir.

Q. You were not a delegate to any nominating convention?—A. No, sir.

Q. You know nothing about the nominations, how they were made, or anything else?—A. No, sir.

Q. Do you know whether they held any primaries?—A. I believe not.

Q. Do you know anything about the election at all, aside from what you have stated here?—A. Oh, some little; not very much.

Q. Do you know anything about any method that the Republican party pursued for the purpose of nominating a candidate for Congress?—A. No, sir; I do not.

Q. And as far as you know there were no primaries held by the Republican party for the purpose of nominating delegates or candidates for any office?—A. Yes, sir.

Q. You say "yes?"—A. Yes, sir.

Q. When?—A. I have forgotten the dates.

Q. Do you feel positive that they did hold a primary?—A. I believe they did.

Q. So you know what the object of that primary was?—A. To nominate a candidate.

Q. Was George C. R. Wagoner nominated a candidate on that ticket?—A. I think not; I can't call to mind that he was on the ticket.

Q. Well, what did they do at those primaries?—A. Voted on the ticket they nominated.

Q. Was there any Congressional candidate on that ticket, or in any way associated with that ticket?—A. I think not.

Q. Well, so far as you know, then, there was no Congressional candidate in the Twelfth district nominated as a result of those primaries?—A. I don't remember Mr. Wagoner's name being on it.

Q. You don't remember anything about Mr. Wagoner in connection with any nomination at all?—A. I know he was nominated, but I just can't call to mind how that was.

Q. You do know that he was nominated. Now, how do you know that?—A. By hearsay only.

Q. Yes. Then, so far as you know, Geo. C. R. Wagoner never secured a nomination at the hands of the Republican party anywhere for anything, did he?—A. I understood so by the papers and by talk that I have heard by Democrats.

Q. Did you read the papers?—A. Occasionally.

Q. What papers did you read?—A. I read several papers; most all of them.

Q. Do you read the Globe?—A. Yes, sir.

Q. Do you read the Star?—A. Yes, sir.

Q. Don't you know that the Globe championed one candidate and one nomination, and the Star championed the other?—A. They might have done so.

Q. Did you read the Globe-Democrat on Sunday morning, October 5?—A. I don't know.

Q. Did you read an article published in that paper in which it was stated that Reynolds was nominated by the Twelfth district Republicans in a convention held at Chatsworth Hall?—A. I don't remember.

Q. Do you remember reading that George D. Reynolds was nominated for Congress for both the short and the long terms in the Twelfth Congressional district?—A. What date?

Q. This was published October 5. The convention was October 4.—A. I don't remember.

Q. Do you remember reading in the paper that Mr. Loffhagen wrote to Mr. Reynolds and suggested that they both withdraw from the candidacy and allow some one else to be nominated in the Twelfth Congressional district?—A. What paper was that?

Q. That was printed, I think, in all of them.—A. No; I don't remember that.

Mr. HOLTCAMP. The St. Louis World.

The WITNESS. I sometimes read the World.

Mr. WALSH. Then, did you read in the Star of Saturday, October 4, that there was no nomination in the Twelfth: "The Republican convention raises question of legality of short term. Committee appointed to investigate matters?"

A. I don't remember it.

Q. Well, did you read that at a convention held at Chatsworth Hall the legality of certain doings in the Twelfth district Congressional convention was questioned?—A. No, sir; I don't think I did.

Q. Did you read anything about the Congressional nomination in the Twelfth district in the Republican party?—A. Very little.

Q. Well, what did you read about it? What did you find out?—A. I don't remember that now. If I had thought I would be questioned on it I would have studied it over and looked it up and remembered it.

Q. As you figured then that you were going to be questioned on this matter of Drew and Cruner that you have put in evidence, you studied that up and made a memorandum of it, did you?—A. I did not know I was going to be closely questioned on it.

Q. How do you remember so clearly on that, and yet can't remember the names?—A. I know them.

Q. Do you know every one of these men whom you say registered from 6400 Tamm avenue?—A. No, sir; I do not.

Q. How many of them do you know?—A. Oh, I know about five of them, I think, or six of them by sight; I don't know their names.

Q. And all the balance of them may have been registered from there; you simply did not know them by sight?—A. I think they were registered from 6400, something like 14, I think.

Q. Well, the principal thing that you recollect, Mr. Higgins, in connection with the 12th Congressional district and the Republican candidates is that you don't know anything at all about them; you don't know that there was a primary to nominate anybody?—A. Yes; I do.

Q. Well, what do you know about that? That is what I want you to tell me.—A. Well, I don't know very much about it.

Q. Tell me what you do know.—A. I voted at the primary.

Q. Where did you vote?—A. On Manchester avenue, and I don't know the number either, but I know where it is; I have been past there hundreds of times, but I have forgotten the number.

Q. How long did you live there?—A. At Cheltenham avenue, something like six, seven, or eight months, I think.

Q. How long have you lived out in that neighborhood?—A. I have lived in the Twenty-fourth Ward about five years, I think.

Q. You have lived there five years, and yet you can't remember the number of the place that you voted, and although you don't remember that number you believe that these men deliberately and fraudulently registered from the numbers that they registered from; and you have lived in that ward four years. How long have you lived in the city?—A. About twelve years, I think.

Q. And what is your business?—At present I am a carpenter.

Q. Haven't you been a map maker and associated with your brother in map making?—A. Yes, sir.

Q. And as a map maker you were very familiar with the topography of the city and the streets and numbers, weren't you?—A. Why, to a certain extent.

Q. And you, a map maker, whose business it is to know these things, don't remember where you voted at that primary?—A. I don't know. I put down a number and that passes then. When I put it down I copy it and it passes from my memory.

Q. And it is gone from your mind?—A. Unless I am sometimes called to refresh my mind I many times forget.

Q. And you can't recollect a number, as familiar as you are with that ward and that locality? You say you pass by there hundreds of times?—A. I have voted at the precinct myself.

Q. And you don't know whether it is 64, 65, or 67?—A. Yes; I do.

Q. Well, what is it?—A. I don't know.

Q. You know that you don't know?—A. That is all I know.

By Mr. HOLTCAMP:

Q. Mr. Higgins, you have never forgotten the number that you lived in when you registered, have you?—A. No, sir.

Q. Now, those parties you say were registered from other numbers, were they not?—A. Yes, sir.

Q. They were all registered from other numbers besides 6400 Tamm avenue, weren't they?—A. No; they were all registered from 6400.

Q. Were they registered from any other numbers, too?—A. No, sir.

Q. Your brother, concerning whom you have been examined, is Mr. Higgins who was the census commissioner for this district?—A. Yes, sir.

Q. The United States census commissioner?—A. Yes, sir.

By Mr. WALSH:

Q. Did you assist him in the compilation of the census returns?—A. I did; yes, sir.

Q. Did you ever live in a tent?—A. I have been in one over night, at such times when I went fishing.

Q. Were you ever called on to tell the number of that tent by street?

Mr. HOLTCAMP. No; they didn't have any false registration there.

Q. You don't know anything about the intentions of those parties as to their registration from that point where they were located, do you?—A. No, sir.

Q. And you couldn't, under oath, say that they registered from 6400 designing to register falsely or fraudulently?—A. No, sir.

Mr. HOLTCAMP. Were there any fine fishing grounds immediately surrounding these tents?

(Objected to for the reason that it is intended to consume time and encumber the record.)

A. About 3 miles from there there is some fishing.

Mr. WALSH. What kind of men are those who live in those tents, from a moral standpoint? Are they good citizens or bad citizens?

Mr. HOLTCAMP. Do you know their morals?—A. No, sir; I don't know them.

Mr. WALSH. They are workingmen, are they?—A. Well, Mr. Drew you could not consider hardly a workingman, because he hasn't but one leg. He is a musician; he is quite a musician. The other men are all workingmen.

Q. The other men were all laboring men, workingmen?—A. Yes, sir.

Q. And they appeared to be good, honest citizens as far as you know them?—A. Yes, sir.

ALBERT W. ROBINSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 912 North Tenth street.

Q. What ward and precinct is that?—A. In the Fourth Ward, and I believe the fourth precinct now.

Q. Mr. Robinson, were you in this city on the 4th day of last November?—A. Yes, sir.

Q. Did you appear at the polls for the purpose of voting on that day?—A. I did.

Q. Were you allowed to vote?—A. Well, not what I consider voting; no, sir.

Q. For what reason?—A. Well, as I had to cast my vote under protest—I don't consider a vote is cast until it is in the box, and my vote did not go in the box so far as I know.

Q. For what reason?—A. For the reason that my name, when I appeared to vote, had been voted.

Q. What are your politics, if you care to say?—A. I am a Republican.

Cross-examination by Mr. WALSH:

Q. What is your business, Mr. Robinson?—A. Manager of the St. Louis Vinegar Company.

Q. Who is the head of that company?—A. Mr. Charles C. Cushing.

Q. Is that where the factory is?—A. Well, no, sir; not exactly. We have the factory in Dubuque, Iowa.

Q. This is your headquarters?—A. This is our depot.

Q. You reside right in the depot, up over the depot?—A. Oh, no; oh, no.

Q. This is where you live, 912 North Tenth?—A. Yes; that is my residence.

Q. Your home is there?—A. Yes, sir.

Q. Married man?—A. Yes, sir.

Q. And you keep house at that place, 912 North Tenth?—A. Yes, sir.

Q. Now, you say your vote was not deposited in the box?—A. As far as I know it was not.

Q. Well, how do you secure your knowledge? From what do you secure your knowledge?—A. Why, I did not see my vote go in the box.

Q. Was your ballot numbered?—A. It was.

Q. How do you know it was not deposited in the box?—A. Because I didn't see it go into the box.

Q. Where did it go?—A. It was laid to one side.

Q. Were you required to make an affidavit?—A. I was.

Q. Do you know whether or not it was placed in an envelope for challenged ballots?—A. I believe they did place it in an envelope—the affidavit.

Q. Isn't that what the law requires?—A. I am not posted on that law.

Q. Well, as far as you know the judges simply followed the requirements of the law in setting aside your ballot, owing to the fact that your name was checked as voted?—A. That was the size of it. I know that the affidavit I made out was wrong, having previously been a judge, but we had proper affidavits to make out in a case of that kind; but the affidavit that I made out was a judge's oath, and I objected to signing it.

Q. A judge's oath?—A. A judge's oath, the oath of an election judge. I said it must be a mistake, and that there were proper blanks for my affidavit, but they said no, that they tried to find some and couldn't, and they wanted me to sign that in order to show that I was a legal voter and entitled to vote.

Q. Who were the judges and clerks at that polling place?—A. I didn't know them.

Q. Did any of them know you?—A. I don't know that they did. I don't think they did, or we would have had some kind of a rumpus.

Q. Did anybody vouch for you?—A. I had a party standing right behind me to vouch for me.

Q. Who was he?—A. His name is Withers.

Q. What was the nature of the vouching that Withers made?—A. He said, "This is Mr. Robinson and that is his number. This is Mr. A. W. Robinson, the man who is entitled to vote on that name."

Q. Did he make any affidavit to the effect that you had not voted before?—A. No; they wouldn't let me vote that time. I didn't vote when I first went there.

Q. The reason that you did not vote was because on the list your name was checked as voted?—A. Yes, sir.

Q. They showed that to you?—A. No, sir; they didn't show it to me, only simply told me it had been voted. I didn't see that my name was checked as voted. I

don't remember about that. As I came in they threw the book open and the clerk sitting on this side says, "Why, you voted." I took him up right away and says, "They are trying to repeat very early; it is only a quarter to 7 in the morning," and he says, "You voted," and I says, "What am I going to do about it? I haven't voted. Here is a man right behind me who will say I haven't been out of the house this morning. I just came out of my house to vote." They said they couldn't do anything for me, and told me to go to the election commissioners.

Q. Did Withers live at the same house with you?—A. No, sir; he lived next door.

Q. How could he offer to swear that you hadn't been out of your house that morning?—A. He came out of his door just at the time that I came out, and I could swear that that was the first time I left the house, and he could swear that he came out of his house at the same time and came down the street right behind me.

Q. When you got there the judges told you that your name was checked as having voted?—A. Yes, sir.

Q. And they told you that you couldn't vote unless you made an affidavit?—A. No, sir; they did not. They told me I had to go to the election commissioners' office.

Q. Did you do that?—A. I did not.

Q. Then what occurred?—A. I didn't go there first. I went to the Globe-Democrat to find out what to do and to get posted. I could get more information there than anywhere else, and then I did go to the commissioners' office. I went to the commissioners, and they told me, "Mr. Robinson, we can't do anything for you; they only sent you here to get rid of you."

Q. Who are "they"?—A. I don't know; some gentlemen at the commissioners' office. I said "They have got a hot one to get rid of. I am going back"—and I did go back and pleaded my own cause, and they accepted my vote according to the case that I laid before them. In other words, the election commissioners advised me to go back and state it to them, and I said: "Now, there has been a fraudulent vote cast on my name. I will make out my vote and give it to you gentlemen, and whatever you say—" The commissioner told me that their decision was final, and if they decided to take my vote, all right; and if they did not there was no getting back of it, as they were the judges for that day. I said: "Now, I will make out my vote and I will swear that I have not voted, and there is a fraudulent vote in there. Will you put my vote in the box, and after you open the box, when you go to counting, throw out the vote that is in there of the same number?" They wrote the same number on my ballot—I have a record of it at home in my desk some place, the same number that was in the ballot that had been cast—and they promised me that they would put my vote in the box when they opened it; but whether they did or not I don't know.

Q. The same number on the ballot cast in your name?—A. Yes, sir.

Q. Did they show you that your name had been voted?—A. No, sir; they said it had.

Q. They simply said it had been checked off on the registration book or record, as voted?—A. Yes, sir.

Q. And I understand you to say that you have been a judge of election?—A. I was.

Q. Don't you know that they did just exactly what they were required to do under the law?—A. Why, no; that law has been changed since I was judge. They had a decent law then.

Q. When were you judge?—A. I was a judge at the time that William J. Bryan made his first run for President.

Q. That was in 1896?—A. You remember the name. I remember it very well.

Q. That was during what was known as the Filley election law?—A. It was a good law.

Q. You say it was a good law?—A. Yes, sir.

Q. During that time they had such miracles of purity as Julius Wurtzburger in charge of the election commissioners' office. Wasn't he the man that represented your party—Julius Wurtzburger?—A. The records, I suppose, show that.

Q. Now, don't you remember, from your familiarity with the election law—A. I didn't say I was familiar with the election laws.

Q. Well, under your pure election law Julius Wurtzburger was the election commissioner?—A. I didn't say that.

Q. You said it was a pure election law?—A. I said they had a much better one then.

Q. And Julius Wurtzburger was the man in control of the election commissioners' office?—A. He might have been.

Q. And William Flewelen Saunders?—A. I don't know. The record will show that.

Q. The gentleman who is now secretary of F. W. Baumhoff, the postmaster? Those were the gentlemen in charge under that exceptionally pure election law?—A. As I say, the records will show that.

Q. You don't remember about that, except that you had a very pure law; you don't remember those apostles of purity who had charge of the city election at that time, do you? You forget that now?—A. No; I don't say I forget it.

Q. Do you remember those gentlemen?—A. I just simply say that the record will show that.

Q. Will you say that you have forgotten, or that you remember Julius Wurtzburger, and William Flewelen Saunders?—A. Yes; I remember those men.

Q. They were the men who controlled that pure election law?—A. I am not saying they were the ones that controlled it.

Q. Will you say they were not?—A. No, I won't say they were not. I just simply am on the fence.

Q. Now, what particular difference is there between those two laws which make this law such an iniquitous law and the one under which you proceeded such an exceptionally pure law?—A. What is the difference? There is a good deal of difference.

Q. I want to know the difference?—A. I will tell you one difference. Under the other law the policemen were not allowed inside of the polling place, because I had them put out.

Q. Because the policemen were not allowed inside of the polls?—A. Yes, sir.

Q. Go ahead.—A. That is one thing.

Q. Tell me some of the other things.—A. Well, I will tell you another thing, too.

Q. Well.—A. Under this last law, if there is any difficulty that you get into, you get—to use a slang phrase—you get the "hot air," and it doesn't pay to start anything.

Q. Under the last law it doesn't pay to start anything?—A. No, sir; it does not.

Q. Did it under the other one?—A. Yes; if you were in the right you would get your rights, but under this last law you would get a good beating all around, and get dragged off and locked up.

Q. Now, how is that arrangement made under the present law?—A. Well, it gives the policemen too much liberty. He runs the whole business.

Q. Aside from the power of the police in this present law, you know of no other difference, do you?—A. I want to state right here that the police never did interfere up here where I have tried to vote. The police there were all right. They didn't interfere with me, didn't start anything, didn't give them a chance to interfere; and another thing, we had challengers under the old law, and those men had a right which they haven't got under this law. So far as I can see, they had a right and they were allowed to go in there, and the Republicans had a challenger and the Democrats had their challenger, and they were gentlemen all around, both Democrats and Republicans. They were all gentlemen out there, but the way it is now it is different. Of course, as I say, this is the first thing that has ever come up against me, and when I don't have anything come against me I have got no kick coming, but when they do come against me I am kicking hard.

Q. That matter of challengers is one of the other differences which exists between the old and the new election law?—A. Yes, sir.

Q. Have you read the new election law?—A. No, sir; I have a copy of it, but it is a long thing, and I would have to lay off about a week to get through it, and after I got through it I don't think I would know as much as I did at the start.

Q. You are speaking—A. I am speaking of this matter here in the city of St. Louis.

Q. You don't know whether there is any provision for challengers under the present law or not?—A. Oh, there may be, but they seem to be all on one side.

Q. That is your impression. What have you gained that impression from?—A. From observation.

Q. From observation where?—A. In my ward.

Q. Do you know that the challengers were not appointed by the committeemen in the ward?—A. No, sir; I wouldn't say that.

Q. What do you mean, then. You say that under the old law you had challengers, and under the new one you do not, that under the old law you had gentlemen as challengers, and under the new one you did not?—A. I beg pardon; I didn't make that statement.

Q. Explain what you did say then?—A. Just this; it appears to me that the challengers appear to be on one side. I didn't say they were not gentlemen. I believe they were gentlemen that were in there; I give them credit for being gentlemen until I find them otherwise. I believe that if they had known me personally they wouldn't have allowed anyone to vote in my name, but they didn't know me. I says, "Gentlemen, I don't know you, and you don't know who Robinson is, but the next time before the election I'm going to get a picture taken and I'll hang it up here on a wall, and then if anybody votes in my name, there will be a rough house."

Q. You were going in there with that intention, were you—of starting a rough house?—A. That is exactly what I told him.

Q. You say that under the old law there was challengers appointed for both parties, and under the new one there are not?—A. I didn't say that. I say that now they appear to be all on one side.

Q. On what side?—A. Well, I saw one last week with a little Jefferson Club badge on him.

Q. What was it that indicated that they were Jefferson Club men?—A. Well, they wore that badge.

Q. What was that badge?—A. It appeared to be a white button; it seems to me it had a white face to it—a white badge.

Q. You have stated that this is an iniquitous law, and is a bad law by reason of the fact that policemen are allowed inside of the polls now, and under the old law they were not, and that challengers under the present law seemed to have all the best of it?—A. On one side, yes, sir.

Q. You don't know that the committeemen of both parties under the new law are allowed, and, in fact, required, to appoint a challenger to each polling place and to furnish them with credentials from their committeeman, and that those credentials entitle them to go into the polls and remain there?—A. I believe that is the case. I don't know it by reading the law, but I believe that is the case.

Q. Then the committeeman of each ward is the person that selects the challenger of his party, isn't he?—A. Yes, the central committeeman.

Q. So, if there are no challengers there for the Republican party that is due entirely to the failure of the ward committeeman to appoint one?—A. Not exactly, not exactly. The challenger might be run away from that polling place; for instance, if he would challenge anybody I don't suppose he would be there an hour; he would be run out of there.

Q. You have had no experience in that direction yourself?—A. No, sir; I didn't want any.

Q. Then, so far as you know, there was absolutely nothing wrong in your precinct, except that they required you to cast your ballot under oath, your name having been checked off on the list as having been voted?—A. Well, not checked off as having been voted. It had been voted; that is what they told me. They said a man had voted on my name; they said, "Your name has been voted," not checked off. Robinson was voted before I went there. In other words, I had been there before I was there. There was no mistake in checking off.

Q. The information that you got was that your name was checked off on the list as voted?—A. No; they said I voted. There is the difference.

Q. The record showed that?—A. The record showed that it had been voted, not checked off by mistake, because it was accepted, which would not have been done if they had had a challenger there who knew that he was not entitled to vote.

Q. And the judges required you to make an affidavit?—A. Yes, sir.

Q. What instructions did you get at the Globe-Democrat office?—A. I got good instructions. My instructions were not to stop on this, but to keep on kicking; and I have been kicking ever since and getting madder all the time.

Q. Have you any other information in connection with this iniquitous law other than you have given us? Have you told us all you know?—A. Oh, no.

Q. Well, go ahead; I would like to hear all that you know. You are very important; you are an expert.—A. Well, I never like to make statements that I can't back up with anything. I don't want to take up the time of this committee.

Mr. WALSH. I am anxious to get this information from you.

Mr. HOLTCAMP. They want to take up time, Mr. Robinson. That is what the gentleman is after.

Mr. WALSH. I object to the interpolation of the remark by the attorney for the contestant, for the reason that I am endeavoring to get from one of his witnesses information on a statement which he has made.

Q. Now, if you will tell me the other matters or facts which you can state and back up, as you have stated, in which this law differs materially from the other law, to the disadvantage of your party, I would like to have you do it.—A. Well, the biggest thing in the way is the policemen.

Q. You have stated that, and you have kept along on that police question pretty regular. Then after that you stated that the challengers were not permitted. Now what else?—A. Well, I understand—

Q. Tell us just what you know.—A. I understand that there has been quite a good many challengers who were not permitted to attend to their regular duties, which they ought to have an opportunity to do. For instance, if a man goes into a polling place and wants to vote the ticket, he ought to have somebody there to fall back on. There are two principal parties in this country, the Democrats and Republicans. Now, if he is a Democrat in this city, he will surely find his man to fall back on, but if he is a Republican, sometimes he does, and sometimes he doesn't.

Q. That is with reference to the challengers. You have already stated that the Republican party didn't get sufficient recognition in the matter of challengers?—A. Yes, sir.

Q. What else do you recognize as being particularly disadvantageous to your party in this election law?—A. Well, I will tell you, the great disadvantage is that if there are fraudulent votes that are cast, there is no way to get at it to find out who these fraudulent votes are being cast by unless you can challenge them and pick out the ballots and look at them afterwards.

Q. Did the other law permit an examination of the ballot?—A. I don't think it was ever necessary to examine them, as far as I know.

Q. What do you mean by the statement that you have made?—A. I mean if a fraudulent vote was cast. For instance, my vote, I don't know to-day whether my vote actually was put in the box and counted as it should have been counted; I don't know that. Now, there should be a way for me to get back of that and get satisfaction and know that it was properly counted. I claim the right to vote as a citizen of this country. Just one vote is all that I care to vote and all that I ever tried to vote.

Q. I don't want any stump speech. What I want to find out from you is, what you know exists in this law which makes it such an awful law as you have stated. You have stated that the police was one point, and the next point was that your party wasn't allowed to put in challengers. What else exists in this law as a defect, as against the law under which you acted as judge?—A. As far as that is concerned, I am not posted on that, but surely those things could not have been in the previous law. There was a way to get back and inquire into those ballots. Under this law, there is no way to get back to them. We have got no recourse, whether our votes are right or wrong, we have got to take whatever they say and shut up, and you can't get into the boxes to find out.

Q. Wasn't that the case with the other law, that after the ballots were counted the ballot boxes were closed for all time, except for recounting the ballots to see if the correct number had been placed in the box or if the number in the box tallied with what was credited on the return sheets?—A. Well, that is a question I don't know.

Q. Do you know anything about any defects that exist in this law which make this law in any respect a worse law than the law which preceded it?—A. I know only those that I spoke of, now.

Q. Those are the only two that you know of?—A. Right now, yes.

Q. And they constitute the entire deficiency in this law as compared with the old one?—A. I don't think they do, but as far as I know, yes.

Q. So far as you know the fact that the policemen go inside of the polls and—A. And intimidate the voters.

Q. They do intimidate voters? Now haven't you stated that you saw no intimidation of that character?—A. I did.

Q. You never have seen anything of that kind?—A. No, not in my ward.

Q. You don't know anything about it, except what you get out of the Globe-Democrat, do you?—A. Oh, my, no. I read the Democratic papers to keep posted on the Democrats. It is a hard matter to do, but I get it from Democratic papers.

Q. Did the Democratic papers state that the police intimidated the voters?—A. I won't say that.

Q. What do you say?—A. That they are intimidated, and the only knowledge I get from the papers, if I get any of that knowledge from the papers, most of it came from the Post-Dispatch and the Republic, both. They are Democratic papers. I take them regularly.

Q. You don't mean to state that either the Republic or Post-Dispatch are Democratic, do you?—A. If the Republic isn't a Democratic paper where will we find one?

Q. You don't mean to assume or have us believe that either of those papers are Democratic, do you?—A. Well, I don't think they would want anybody to believe that they were.

Mr. WALSH. Well, for the purpose of your examination, Mr. Robinson, that we do not, but these statements that you have made in connection with the policemen being inside of the polls, and that the challengers of the Republican party are not permitted to do their duty are the only two points that you know of in which this law is in any way a bad law?—A. But they are big points.

Q. Well, those are the points?—A. Yes; particularly the police.

By Mr. HOLTCAMP:

Q. You read the papers, you say?—A. Why, I read the Post-Dispatch and the Republic.

Q. And the Globe-Democrat?—A. I do, when I get time.

Q. You have been asked about information that you have received through the newspapers. I will ask you whether or not it is not true that you have seen in the Democratic newspapers of the city of St. Louis that even the most prominent Democrats in this city are about taking action to repeal the present election law as being iniquitous?—A. Yes, sir.

By Mr. WALSH:

Q. What paper did you see that statement in?—A. In the Post-Dispatch.

Q. Did you see a statement in the Post-Dispatch that prominent Democrats are now about to take action for the purpose of having the present election law repealed on the ground that it is iniquitous?—A. Well, I don't know whether they said iniquitous, but then the prominent Democrats—and there are good Democrats in the Democratic party—I will say more than my partner did, he never would admit that there was a good Democrat, but I will. There are some good Democrats, but they are very few and far between.

Q. Now, what you did read in the paper, Mr. Robinson, was that a number of prominent Democrats had come together for the purpose of discussing the present election law, and endeavoring to discover if there were any defects in it which could be cured?—A. They must certainly have seen some defects, otherwise they wouldn't be thinking about changing it.

Q. That is what you read?—A. Well—

Q. You never saw it mentioned as an iniquitous law outside of the Star or Globe-Democrat, have you?—A. I haven't read the Star for a good while, nor the Globe. I get my information from the other two papers.

Q. Were you reading the papers before the last election?—A. Oh, yes.

Q. Regularly?—A. No, not regularly; I don't always have time.

Q. Did you read the Globe?—A. Of what date?

Q. Before last election, October 5.—A. No, I can't say that I did.

Q. Did you know anything about the condition of the factions in the Republican party existing prior to November 4 of this year?—A. Only from hearsay.

Q. Did you get that from the newspapers?—A. I think not. I think only just hearing it from my friends, maybe.

Q. You heard from your friends that there were some factional differences in the party?—A. Well, like there always is in every party.

Q. And you heard that there was a convention that met out at Chatsworth Hall, and some half a dozen of them nominated George D. Reynolds for the long and short term for Congress in the Twelfth Congressional district?—A. No; I don't remember about that.

Q. Do you remember hearing about Capt. E. H. Loffhagen?—A. No, sir.

Q. Do you remember hearing about George C. R. Wagoner in connection with Congress?—A. No.

Q. Do you remember whether Loffhagen was a candidate for Congress in the Twelfth Congressional district or not?—A. No, sir.

Q. Do you remember whether George C. R. Wagoner was a candidate for Congress in the Twelfth Congressional district?—A. Were those men on the Republican ticket?

Q. Well, I am asking you?—A. Because I tell you that with the Republican party I am satisfied with the ticket that they put up. I don't believe, honestly, right now I could tell you more than one or two men on the ticket I intended to vote.

Q. Do you remember who were candidates for Congress in the Twelfth Congressional district in the Republican party?—A. Well, to be honest with you, I don't think I could. I could remember old Barthold's district, and of course there was nobody else there. No use to run; he would be elected anyhow.

Q. It was a cut and dried affair down there?—A. Certainly; we never bothered about that.

Q. And you didn't pay any attention as to who were candidates for Congress in this district?—A. I was perfectly satisfied with whoever was on the Republican ticket. They suited me. I don't worry like I do with the Democratic candidates.

Q. Where did you live in Barthold's district?—A. At 6301 Manchester road—lived there for thirteen years.

Q. Were you in the vinegar business then?—A. Been in the vinegar business ever since; about ten years, I guess.

Q. Were you in the printing business?—A. Me? No, sir. Oh, I run a press; I know how to set type; I know what a stick is.

Q. Is that what you were doing when you were out there?—A. No, sir.

Q. And you don't know anything about George C. R. Wagoner being a candidate for Congress, nor George D. Reynolds?—A. No, sir; I thought the boys would get that all straightened up themselves without me sticking my nose into it.

Q. Get what 'straightened up'?—A. Well, those little family affairs, just like every party has; I knew there was some kind of a little difficulty, but I was perfectly satisfied that they would get it straightened out.

Q. What kind of little difficulty?—A. Like there is in every party. For instance, I suppose Grover Cleveland will be wanting to run for President next time.

Q. Let us try and confine ourselves to the twelfth district. What do you mean by "little difficulty"?—A. Well, you know more about it than I do.

Mr. WALSH. I think so.

The WITNESS. I know you do, and I know there was something like that in the Democratic party and they wanted it peacefully settled up like the Republicans did. They get those things peaceably adjusted if you give them time, and there isn't any afterclap, like William J. Bryan trying to run again. I expect he'll be trying to run again in four years.

Q. Can you tell us what this little difficulty was?—A. Well, I want to get a foundation and to take root where I am now, and I haven't been there long enough to get myself straightened out. I don't get around as I did in the other election. I am afraid to go out nights now.

Q. Kind of a tough neighborhood where you live?—A. Well, no; not just where I live it is not, but not a great distance from me there is shooting and all that. They shot a man on the corner right two days ago.

Q. Can you tell me about this little difficulty that they were trying to straighten up?—A. No, sir.

Q. What was it that you understood about it?—A. I didn't understand anything, only just like at every election, if a man wanted a position that other people didn't think he was entitled to, maybe, or something like that.

Q. What was it that you understood was the trouble at this election—that little family difficulty? What was it about?—A. I didn't understand anything about it. In fact, I didn't bother myself about it at all.

Q. Didn't you understand that a majority of the city central committee had been thrown out by a minority?—A. No, sir.

Q. And that they had gone up to the supreme court?—A. No, sir.

Q. Didn't you understand that?—A. No, sir.

Q. You didn't know anything about this difficulty?—A. I knew there was something going on, but when I saw it in the paper I didn't pay any attention to it. Of course that came out in the Post-Dispatch, but I didn't read it; didn't see how I could benefit them in any way, and I would be only wasting my time. I couldn't benefit them in any way at all; I was practically out of politics.

By Mr. HOLTCAMP:

Q. In your testimony, comparing this law and the present election with the one that you acted under as judge, do you know any difference in connection with the publishing of the registration lists?—A. Well, now, we had under the old law; there was a way for an outside voter to get hold of an exact copy of the book, and if he saw that a man was fraudulently registered there he could go and make a kick. In other words, he could appoint himself a challenger by going to the challenger in his party at the polls and object to the man voting as being fraudulently registered. The registered voters then were all verified; a few days before election the list was reconnoitered. I never heard of any such thing being done at this election. It might have been, but I don't think so. I don't think anyone came to my house to find out if I was registered from that number or not. Those lists benefit lots of voters. They could tell exactly if their neighbors were in it and actually lived there, and if a man registered from, say, 6301 Old Manchester road, and maybe he moved out two or three days before election, he could come in and correct his registration, whereas otherwise he couldn't vote on account of moving a couple of days before the election.

By Mr. WALSH:

Q. You have introduced a new word, now. What do you mean by "reconnoitering" after the registration list had been verified?—A. Not after it had been verified. If it was verified then you can cut out the "reconnoitering," but the idea is that after the last day of registration the clerks were supposed to go around and verify that list, and if they didn't find that a man was registered properly they sent him a notice to that effect, in order to know, otherwise he would be scratched off, and he had recourse at the election commissioners' office, to go down there and straighten it up before the election came off. Now I don't know that that sort of thing is done at all any more.

Q. That is what you don't know?—A. I don't know. Of course my family is there all the time, and I can ask my wife whether anybody was there and asked her if I

was a registered voter, and I have asked her that, and she said no, so this last time before election came on, to be sure my name was on so I could vote, I took time enough to go down to the election commissioners' office, maybe sixty days before the precinct registration was open, and saw my name on the book properly recorded, and further than that, in order to determine for myself that my name was on, I went down to the precinct registration and saw that I was properly registered, and after that I asked my wife if anybody had come to the house and asked whether I was a voter, and she never seen anybody. It maybe they came and she wasn't there at the time.

Q. In what respect does the present election law differ from the old with reference to the canvass of the precinct?—A. Well, it may be that that is the same; but do the clerks do these things?

Q. I am not asking about that. You are attacking the law.—A. I tell you I have a copy of that law at home, but it is pretty hard to get that all by heart; I have a copy, but it is a long thing, and, honestly, I can't afford time to read it.

Q. You don't know whether this law provides for exactly that sort of canvass as the old one or not?—A. No; but the question is, do they do it?

Q. Did they under the old law?—A. Yes; they did, you bet. You bet, they did.

Q. They had more efficient officials then?—A. Ah, you bet, they did.

Q. Aren't the same officials appointed by the same parties as formerly?—A. Well, I suppose the Republicans have got the right to put their judges and clerks in there, the same as the Democrats.

Q. Under the old law the canvass was made by the clerks, one appointed by the Republican and the other by the Democratic party?—A. Yes, sir.

Q. Isn't that the same as it is now?—A. There must have been something in that old law that made them attend to their business, and at present they have not, under this law.

Q. So far as you know?—A. Yes, sir.

Q. As to the law itself, you don't know whether there is any defect in that particular or not?—A. No.

Q. So if that is in the law, if the law requires the clerks to make a canvass, there is no material difference in that respect in the two laws?—A. No.

Q. If the law requires both parties to place challengers in the polling places, there is no difference in that particular?—A. Well, there is a difference if they don't give them power to act.

Q. If the law provides that the challenger shall have power to act, being furnished with proper credentials, and gives to both parties the right to place challengers in the polls, then there are no differences in that particular between the the new and the old law?—A. Yes; but if they don't back it up and give them that power, there's the difference.

Q. Under the old law the police were required to stay outside of the polls?—A. Yes, sir.

Q. Under the new law they are permitted to go inside of the polls with the consent of the judges and clerks. Isn't that so?—A. It may be; I don't know; as I say, I am not read up on that law.

Q. Then you don't know that there is any difference between these two laws, except that you believe that under the new law the police are placed inside of the polls, that the Republican party has no challengers, and that no canvass of the precincts is made. Those are the main parts that you consider detrimental to this present law?—A. Well, I figure that if the law was drawn in a proper way that those things wouldn't be; I only see the results; the results show that there must be some defect in the law.

Q. You figure on the results?—A. On the results.

Q. That is because the Republican party has not been successful at the polls?—A. Not at all, not at all. If the Democrats honestly gain the election, why, it is all right. I'll halloo for the Democrats myself; if a Democrat who is a good man comes to me and asks me to support him I'll say yes, I will, if he is honest; and if a Democrat is honestly elected I'll back him up and support him in his office if he is entitled to it.

Q. You are not a lawyer?—A. No, sir.

Q. You have never read this law?—A. No, sir.

Q. You don't know anything about this law from having read it?—A. No, sir.

Q. And you are denouncing a law that you absolutely know nothing about?—A. I am denouncing the effects of the law; not the law or the men that made the law. What I see is the results.

Not being able to complete the taking of said depositions this day by reason of the absence of witnesses, I hereby adjourn the further taking of the same until to-morrow, December 27, at 10 o'clock a. m.

Pursuant to adjournment, as above stated, on this 27th day of December, A. D. 1902, at 10 o'clock a. m., I continued the taking of said depositions as follows:

ERNST H. W. VOGELPOHL, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 119 East Grand avenue.

Q. What is your occupation?—A. Laborer at the Government—United States warehouse.

Q. Whereabouts?—A. Third and Olive.

Q. Is that the building commonly known as the old post-office building?—A. Yes, sir.

Q. What is your occupation there in the building?—A. Assistant watchman.

Q. Now, was there a polling place immediately opposite that building on the 4th day of last November?—A. Yes, sir.

Q. Do you know the precinct and ward it was in?—A. Fourth Ward, first precinct.

Q. I will ask you to state whether you were present there in that building during the day on which election was held on the 4th of last November?—A. Yes, sir; I came there at 8 o'clock in the morning and stayed until 4 o'clock.

Q. Did you pay any attention to the vote that was being cast across the street?—A. Yes, sir; to some extent I did.

Q. State to what extent you observed it?—A. There was a colored fellow came to me down there and he said, "Just take a look over there." I took a look over there and all I saw and know is I saw some people going out and in continuously during the day.

Q. What do you mean by "some people?"—A. Well—

Q. Were they individuals or a crowd?—A. They were individuals, the ones I refer to; there was a crowd of about ten.

Q. A crowd of about ten?—A. Yes, sir.

Q. Practically the same men?—A. Yes, sir; the same men.

Q. How often, in your judgment, to your best recollection, did they go in and out there?—A. Well, I couldn't say that.

Q. About?—A. Because I make my rounds through the building; but I saw them on three or four different occasions during the day.

Q. The same crowd?—A. Yes, sir.

Q. About ten or twelve of them?—A. Yes, sir.

Q. Going in and out?—A. Yes, sir.

Q. Would they go in together?—A. No, sir; they always went in separate.

Cross-examination by JAMES J. BUTLER, Esq.:

Q. What did you say your business was?—A. Assistant watchman for the Government, United States warehouse.

Q. Assistant watchman. What precinct of the Fourth Ward was that?—A. First.

Q. What was your duty at the post-office? What are your duties as assistant watchman?—A. To go around and look at the building; watch the front, mail department.

Q. Look at the building outside or inside of the building?—A. Inside of the building.

Q. Your duties are in the inside of the building, are they?—A. Yes, sir.

Q. Watching the various stores therein located?—A. Yes, sir.

Q. Watching the stock?—A. Yes, sir.

Q. Seeing that none of it is carried away or stolen?—A. Yes, sir.

Q. You attend strictly to your duty, do you?—A. Yes, sir.

Q. How is it you found time then to watch and see so much of what was going on on the opposite side of the street?—A. Well, because you can look right over there at a minute's glance out of the post-office. It is situated on the east side and the polling place was right across the street and you couldn't help looking out.

Q. On the west side?—A. Yes, sir.

Q. You were inside, in the building?—A. Yes, sir.

Q. All the time?—A. Well, no; not just all the time.

Q. Did you go out when you wanted to see what was going on on the other side of the street?—A. I guess I got as far as the steps.

Q. As far as the steps?—A. Yes, sir.

Q. That is a very dark entry way there, is it not, in the old post-office?—A. Well, I don't know. It is close. You can look across and have a fair view of everything going on down there.

Q. The door of the post-office proper is quite a distance under the portico or extension of the building there, isn't it?—A. Why, not very much.

Q. Don't you know it is quite a distance?—A. About 10 feet.

Q. That is quite a distance, isn't it?—A. But I came out, as I stated before.

Q. Do you presume to say that from that distance, 10 feet, in the interior of the building, your duties compelling you to be on the inside—are you in a position to say that you positively identify a crowd of 10 or 12 different men as the same men on various occasions?—A. Yes, sir.

Q. You are?—A. Yes, sir.

Q. How do you identify them? Will you state to me the manner you identify them or how you can identify them?—A. Because they were going in and out and I couldn't help noticing them.

Q. Is that the only way you can identify them, because they were going in and out?—A. Yes, sir.

Q. What marks had they on them that would enable you to identify them?—A. Well, the dress.

Q. Now, state what the character of the dress was? What impressed on your mind that they were the same parties? What was their dress?—A. Some were dressed in black and some in different kinds of colors. I know that they were the same men; that is all I have to say.

Q. You are sure they were the same men because some were dressed in black and some in different kinds of colors?—A. Yes, sir.

Q. We are all dressed in different kind of colors, are we not?—A. Yes, sir.

Q. Now, if you should happen to go down there and see us in a party of 10 I suppose you would say that we were the same parties that had been there before, wouldn't you?—A. Not unless I was there.

Q. Were you there on this occasion?—A. Yes, sir.

Q. Now, what particular characteristic had any of these men in their faces or about their clothes that led you to identify them so carefully from the distance you were from them?—A. I noticed that they were the same men, I say.

Q. That is the only thing that you are willing to say—you noticed they were the same men? You don't know how you identify them?—A. I couldn't know their names.

Q. What was their color?—A. They were white.

Q. Any negroes among them?—A. No, sir.

Q. Who was it that called your attention to them?—A. A man that lives in the same ward. He was around there.

Q. In what same ward?—A. Fourth Ward.

Q. Where was he when he called your attention to them?—A. Inside the building.

Q. Inside the building?—A. Yes, sir.

Q. What was he doing in there?—A. Working down there.

Q. What was his name?—A. Paul Hibbard.

Q. Hibbard is a negro politician, is he not?—A. I don't know him personally—just to work with him; that is all.

Q. Doesn't he pose as quite a representative politician in the Republican party among the negroes?—A. I don't know.

Q. Didn't you just state he lived in the Sixth Ward?—A. No, sir. I live in the First Ward.

Q. When he called your attention to these gentlemen in question did he tell you to keep an eye on them further?—A. No, he didn't.

Q. What prompted you to keep a further eye on them?—A. Because I saw these men going in and out continuously, coming out.

Q. What were you doing in the meanwhile? Were you making your rounds as required by law?—A. Yes, sir. When I got back I saw them still.

Q. Saw them still?—A. Yes, sir.

Q. You are quite positive that they were the same people?—A. Yes, sir.

Q. How far away were you from them, now?—A. I imagine about 40 feet.

Q. About 40 feet?—A. Yes, sir. I think that is about 40 feet from the step to the polling place.

Q. About 40 feet from the step to the polling place?—A. Yes, sir.

Q. How far was the polling place from the front of the building?—A. About 40 feet, or maybe 45 feet, I expect. I don't know exactly.

Q. It was a nice bright day, I suppose, and that was the reason you could see so well?—A. You know what kind of weather it was, I suppose—

Q. I ask you, wasn't it a nice bright clear day?—A. No, sir.

Q. What kind of a day was it?—A. Kind of a dark day, rainy.

Q. It was a very dark day, wasn't it? Rained almost continuously? Drizzling rain all through the day?—A. Yes, sir.

Q. Wasn't it?—A. Yes, sir.

Q. Still, notwithstanding the character of the day, your eyesight was good enough to permit you to identify 10 men positively, or 12 men at that distance?—A. Yes, sir.

Q. You are a Republican, are you not?—A. To a certain extent; yes, sir.

Q. To what extent? Ain't you a Republican? Ain't you working for Republican officials in St. Louis?—A. I don't know if I do or not. I merely—I don't pay much attention to that at all.

Q. Working for the postmaster, are you not?—A. No.

Q. Under the internal revenue collector?—A. Yes, sir.

Q. Who is he?—A. Gallenkamp; Judge Gallenkamp.

Q. He is a Republican, is he not?—A. I suppose so. I don't know his politics; I never seen him vote.

Q. Do you vote yourself?—A. Yes, sir.

Q. Did you and Hibbard have any other conversation about this?—A. No, sir; I must get around through the building, and I came back.

Q. When were you subpoenaed in this case?—A. Yesterday.

Q. Who had you subpoenaed, do you know?—A. No, sir.

Q. Did Hibbard talk to you about the case after being subpoenaed?—A. No, sir.

Q. Did he talk to you before that?—A. No, sir.

Q. Had Hibbard told you you were to be subpoenaed in this case?—A. No, sir.

Q. Who did you tell what you saw on that day?—A. Well, I don't know that I told anybody.

Q. How did the information you have come out in such way as to have you subpoenaed here, do you know?—A. I couldn't say that.

Q. Couldn't say that?—A. No, sir; I was quite surprised when it was handed over to me.

Q. Very much surprised?—A. Yes, sir.

Miss JESSIE McBRIDE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Jessie McBride.

Q. Where do you live?—A. 221 North Third street.

Q. Do you keep a shop or anything there, or only as a residence?—A. As a residence only.

Q. Do you occupy the whole house?—A. No, sir; I have four rooms on the Third floor.

Q. Have you a father living?—A. No, sir.

Q. How long ago did he die?—A. A year ago the 21st day of November.

Q. Do you know whether there was any registration from your house on this occasion?—A. No, sir.

Q. Do you know whether or not your father's name was on the registration list?—A. No, sir.

Q. Was there any canvass made of your house?—A. No, sir.

Q. Did you have anything to do at all in connection with the election?—A. No.

Q. Do you reside near the polling place?—A. I believe the polling place was downstairs. I seen the men going in and out; I understood it was there.

Q. Did you know any of the judges and clerks that were officiating there?—A. I believe a gentleman in our house named Ayres was one of the clerks.

Q. Did he canvass your house at all after the registration?—A. Not that I seen.

Q. Have you anybody living there with you at all?—A. Yes.

Q. Who?—A. I have a colored girl who works for me.

Q. No men though, that were registered?—A. No, sir.

Q. You stated when your father died, didn't you?—A. Yes, sir.

Cross-examination by JAMES A. BUTLER, Esq.

Q. Was your father registered from there?—A. I believe he was before he died. He served in the last election I believe, or the one before that. He was clerk in the election and registered from there.

Q. You say you live on the third floor of that building?—A. Yes, sir.

Q. Are you married or single?—A. Single.

Q. How many rooms have you on the third floor there?—A. Four.

Q. How many?—A. Four.

- Q. What do you keep there?—Rooming house?—A. No, my own private place.
- Q. Your own private place?—A. Yes, sir.
- Q. What do you do for a living?—A. Well—
- Q. Everybody, do you say?—A. No, I didn't say that. I have sufficient to keep me for a while. My father died a short time ago and left me something. That is about all.
- Q. What else do you do for a living?—A. That is all.
- Q. Have you any avocation of any kind?—A. No, sir.
- Q. Was there any administration of your father's estate?—A. Well, I have what he left me, insurance, and the house; it is mine. We have a business but I don't work the business.
- Q. What is your business?—A. Wax memorial business.
- Q. What business do you work at at the present time?—A. Why—
- Q. Answer it, please?—A. Why, nothing.
- Q. Nothing?—A. Simply nothing.
- Q. Haven't any business of any kind whatsoever?
- (No answer.)
- Q. What was your father's name?—A. McBride.
- Q. What was his first name?—A. W. B.
- Q. Have you any men living in the house with you?—A. No, sir.
- Q. Any men ever frequent the house?—A. Sometimes; yes, sir.
- Q. What?—A. Sometimes.
- Q. Who are they?—A. Collectors, insurance collectors, etc.
- Q. No others?—A. No, sir.
- Q. No men ever sleep there?—A. No.
- Q. What?—A. Not in my apartments, no.
- Q. Have you any other income of any nature at the present time excepting what you receive from your father's estate?—A. No, sir; I have sufficient to keep me for a while.
- Q. You make money in no other way?—A. No, sir.
- Q. Whatsoever?—A. None whatsoever.
- Q. Do you know where Scharif's saloon is, Sixth and Market?—A. What is that? The Home Station?
- Q. Yes, the Home Station. You know it better than I do; I didn't remember the name of it. Do you know the place?—A. Yes, sir.
- Q. Do you frequent that saloon?—A. Sometimes.
- Q. What do you go there for?—A. Well, going to the theatre you must remember that the Grand Opera House has no toilet for ladies and you must drop in somewhere.
- Q. The ladies of the Grand Opera House all go to the Home Station, then?—A. The majority of them do, especially myself.
- Q. The majority of them?—A. Yes, sir.

M. S. STUYVESSANT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. What is your occupation?—A. Merchant.
- Q. Where do you reside?—A. 5423 Vernon avenue.
- Q. How long have you been a merchant in this city?—A. Seventeen years.
- Q. Prior to your being a merchant, what was your occupation?—A. I was practicing law in Davenport, Iowa.
- Q. Prior to that time?—A. I was a farmer about two years.
- Q. You are an ex-officer of the United States Navy also, aren't you?—A. Yes, sir. I was in the Navy thirteen years.
- Q. Where do you reside?—A. 5423 Vernon avenue.
- Mr. WALSH. You don't live at 5900 Cates avenue?—A. I did live there.
- (Counsel for contestee objects to the taking of the testimony of this witness for the reason that the only witness whose name is in any way similar is Moses D. Stuyvesant, 5900 Cates avenue, the address given by this witness being 5423 Vernon avenue.)
- The WITNESS. That is my name. I did live at 5900 Cates avenue before.
- Mr. WALSH. We object on the fact that the notice does not contain an address which would make it possible for the contestee to verify.
- Q. I will ask you to state whether or not on the 4th day of last November you were present during the day at or near the polling place in the thirteenth precinct of the Twenty-third Ward?—A. Yes, sir.
- Q. Now state what you observed there and what occurred there in your presence?—A. Why, I got there about half past 8 in the morning; there was not much activity about the polls; the voters were few. The saloons in the neighborhood were open.

At about half past 2, after I returned from my lunch, I observed quite a number of negroes, perhaps 30 or 40, coming to the polls in bunches, passing through the polling place and afterwards going to the north along Spring avenue, or to the west along Manchester road. I went up to the corner of Spring and Forest Park boulevard—I think that is the next street north of Manchester road—to see where those men went to. They came together; I wanted to see where they went to, and I saw that they were going, some of them on the south side of Forest Park boulevard and some of them crossing over to the north side, but all of them converging on the Excelsior Hauling Stable Company's building, and then went down to Forest Park boulevard and Vandeventer avenue and across there to the stable building, but at its east entrance, at the entrance toward the Forest Park boulevard at the east end of the building. I suppose I saw as many as a dozen enter there. Then I went to the east end of the building opposite the entrance, there being still more of these colored men coming from the direction of the polls at that time—that is, I could see them coming out of Spring avenue at the corner of Forest Park boulevard, there. I stood a little east of the end of the building looking towards these people; some of the employees of the stable, white men, were immediately behind me—that is, they were when I turned to look towards those voters there, towards these colored men rather. All at once this string of colored men, instead of coming to the stable, crossed into an open lot to the east of the stable; a large open lot there; crossed that towards an alley; and the leader of the gang of perhaps 15 or 20 of them—I could see through a hole in the fence that was perhaps 15 or 20 feet east of the stable—I could see him waving his hands towards these colored men to follow him across the alley. They were heading then for the stable as usual. Following that man, instead of coming down towards where I stood, they crossed this open lot to the alley and passed west of the alley into the rear of the stable out of my sight. I then went west on the boulevard to Vandeventer and north on Vandeventer to an alley to see what had become of them, but they had disappeared in the meantime; I don't know where they went to. I then came along, returned on Vandeventer to Manchester road and back to the polling place. That was perhaps half past 2 o'clock. The greater part of those negroes were, in my judgment, under age—boys.

Q. About what time was it when you got back to the polling place finally?—A. Well, it was in the neighborhood of half past 2. As I said at the beginning, it was about half past 2 when I first began on this trip around the block. It probably took me fifteen or twenty minutes to make it, maybe more, but I should say it was half past 2 or maybe half past 3. I didn't follow the time; it might be 3 o'clock; I didn't notice the time particularly.

Q. Did you notice anything in connection with the polling place later in the day in addition to what you have just testified to?—A. Oh, yes; more or less. About 3 o'clock, as near as I can remember, we were directed by the police to get away from the polls. We were then, perhaps, about 20 or 30 feet from the polls, anywhere around in the vicinity of the polls that we chose to be. So we crossed the street directly opposite the polls, at least I did, and one or two others that were with me, and I inquired of the policeman if that would be all right, and he said yes, that would be all right. That was across the street.

Q. Directly across the street?—A. Yes, sir. A little later on he came over and said that the judges objected to our being there, that we could look into the polling place. I didn't understand what they meant, but we were within 100 feet, so we went down to the corner, where we were outside of the limit.

Q. What occurred then?—A. Well, shortly after this there was quite a procession of men came down Spring avenue to the polls. These men came down in single file, under direction. They had a man there to direct them, lead them. At the Spring entrance of a saloon on the corner adjoining the polling place they received slips of paper. Some of them went into the saloon there and some of them went on around the corner to the polling place. Some of them went into the saloon and through that out of the front door of the saloon to the polling place. Some of them went around on the Spring avenue side of the saloon and then down to the polling place. I noticed that they passed from the polling place very fast; much faster than they did when I voted in the morning at the Arcade. We had there to stand in line quite a while and wait our turn, and not over three were allowed in the polling place. At this precinct, at this polling place in the Twenty-third Ward I am describing, they passed through three or four times as fast; they voted quite fast; they couldn't possibly have inspected their ballot in the time they were in the polling place; that would be my best judgment.

Q. In what direction did these men come that you have just mentioned?—A. They came from north on Spring avenue; I don't know how far north they came.

Q. How many were there in your judgment, as near as you can remember?—A. I would say 50 to 75.

Q. What color were they?—A. They were black; saddle colored, some of them.

Q. Were there any white men there, too?—A. There were four or five that I observed.

Q. How long did you remain there?—A. I remained there until it was very nearly dark. This crowd that came there that I described came along there perhaps half past 3 or 4 o'clock; maybe 4.

Cross-examination by Mr. WALSH:

Q. Captain Stuyvessant, where is your place of business?—A. 116 North Commercial.

Q. Are you engaged in the manufacturing business?—A. No, sir; I am a jobber.

Q. A jobber?—A. Yes, sir.

Q. The Stuyvessant Glue Company, then, is the name of a concern—a jobbing concern?—A. Yes, sir.

Q. Where do you secure your product?—A. Wherever we can buy cheapest. We buy from Chicago, New York, Boston, Hammond, and Milwaukee.

Q. How long have you been in the glue jobbing business?—A. Seventeen years.

Q. Always in St. Louis?—A. Yes, sir.

Q. When were you in the Navy?—A. I entered the Navy in 1856; resigned the latter part of 1868.

Q. What naval service were you engaged in?—A. Well, sir, how far do you want me to go into that?

Q. Well, just generally. Were you an officer or—A. Yes; I was at Annapolis from 1856 to 1860; from 1860 to 1865 I was on the seacoast and up James River, and from the close of the war until the latter part of 1868 I was part of the time in Europe; made the cruise of Europe in the *Miantonomah*, and afterwards on the Pacific Ocean; resigned from the—

Q. How did you happen to be in the thirteenth precinct of the Twenty-third Ward on November 4?—A. You mean why did I go there?

Q. Under what circumstances did you go there, and why?—A. I went down there to see what a Hawes-Butler election was like.

Q. Were you instructed or suggested to by anyone to go there?—A. I think that it arose principally out of my own suggestion. I know Colonel Reynolds quite well, and I asked him if there was anything I could do. A few days after that, at his suggestion, I went down at that place that day and stayed there all day.

Q. Did you receive any remuneration for going there?—A. No, sir.

Q. Were you decorated with a blue pin?—A. No, sir.

Q. Or a green pin?—A. No, sir.

Q. A pin of any color bearing the letter "H"?—A. No, sir.

Q. Who were the parties who were with you?—A. Why, there was Major Holtecamp, was there part of the time.

Q. "Major" Holtecamp? Who is he?—A. Here he is, right here.

Q. Oh, he has recently been promoted?—A. No, sir; I think he has a right to the title; ought to be general. My brother was there.

Q. Is your brother W. S. Stuyvessant?—A. Yes, sir.

Q. Who else?—A. There was a son of General Turner; I don't remember his name, now.

Q. Has your brother any military title?—A. No, sir. There was a Mr. Taussig; I don't remember what his name is, his first name.

Q. Clarence Taussig?—A. I think that is the name. Mr. Udell.

Q. What Udell is that? The gentleman engaged in the cheese industry?—A. Yes, sir.

Q. Who else?—A. I don't remember who else.

Q. Did these gentlemen remain with you during the entire day?—A. Oh, no; we were not all together during the entire day; some of them were there a part of the time.

Q. What time about do you think you arrived there?—A. About half past 8.

Q. In the morning?—A. Yes, sir.

Q. And you stayed there until what time?—A. I think until about half past 1.

Q. And then?—A. Then—maybe it was 1 o'clock; then I went downtown to attend to my own business.

Q. What you were attending to then you didn't consider your own business?—A. Yes; I considered that my United States business.

Q. Well, then what happened? What time did you get back there?—A. About half past 2.

Q. About half past 2?—A. Yes, sir.

Q. And then you saw these colored men you speak of?—A. Yes, sir.

Q. And you say you saw about a dozen of them go into the stable of the Excelsior Hauling Company?—A. Yes; after they had been to the polls.

Q. After they had been to the polls?—A. Yes, sir.

Q. You didn't see anything of this dozen men return again to the polls?—A. I couldn't say that.

Q. You couldn't say that one of those dozen men ever returned to the polls or ever made more than one trip to the polls?—A. I am not in a position to say any such thing.

Q. No, sir; this dozen men you refer to as having gone into the Excelsior Hauling Company stables, as far as you were concerned, they were afterwards lost; you never saw them again, to your knowledge?—A. I don't say that, sir. I may have seen them; I don't know that, sir.

Q. Will you say that you did see them again, or that you didn't?—A. I will say that I don't know whether I saw them again or not.

Q. Now, when you don't know whether you saw them again or not, aren't you man enough to say that you didn't see them?—A. No, sir; because I believe I did see them.

Q. Oh, you believe you saw them again?—A. Yes, sir.

Q. Now, what makes you believe you did see them again, your partisanship for Mr. Reynolds?—A. No; I am no partisan.

Q. You are not a partisan?—A. No, sir.

Q. You are a very firm and good friend of Mr. Reynolds?—A. Yes, sir.

Q. Without any expectation in the world of securing a reward you went to this place; made it your business to try and discover, as you say, what a Hawes-Butler election was like?—A. Yes, sir.

Q. And you will not say whether you saw these 12 men in the polls more than once?—A. I won't say that I saw them go to the polls more than once; no, sir.

Q. Are you trying to convey the impression that you did see them go more than once?—A. No, sir; there was nothing in my language to give you that impression.

Q. I am trying to get at what you intend to convey, from the statement that you saw 12 men go from the polls and go into the Excelsior Hauling Company stable. Now, what did you mean by making that statement? Aren't you trying to convey the idea that there was something wrong or irregular about these 12 men? Hadn't they a perfect right to vote?—A. I don't know.

Q. Well, do you know that they didn't have?—A. I don't know.

Q. Have you any right to assume that those 12 men didn't have a right to vote? You don't know anything about that, do you?—A. I have a right to believe what I choose.

Q. Exactly; now, I want to know what you intend to convey to us?—A. What I want to say is that these men came to the polls under direction, like sheep.

Q. Exactly.—A. Somebody was running them.

Q. Exactly; and they voted, and after they voted they returned to their places where they were employed?—A. Some of them returned to the Excelsior Hauling stable; whether or not they were employed there, I don't know.

Q. The 12 men you have referred to as going to the Excelsior Hauling Company's stables, you say came from the polls, apparently under the direction of some one? Now, did those 12 men go back to the polls either alone or under the direction of some one?—A. Well, before I got down there far enough to see whether they were going under the direction of—

Q. I want to know what you know, not something that may have been, before you saw anything of it, or what happened subsequently; I want to know what you are trying to convey in this statement; remember you are under oath, and this is a matter to be placed before Congress; now, I want to know what you are trying to convey.—A. I want to say, Mr. Walsh, that it doesn't make any difference whether I am under oath or not.

COUNSEL. It may not; that is the case with a good many people.

A. What is it you want to know—on what particular point do you want to know what I convey?

Q. I want to know what you mean to state in giving this testimony, that you didn't see the 12 men return to the polls more than once—didn't see them go to the polls more than once?—A. I don't know whether I did or not; that is all I have to say on that.

Q. You are endeavoring to convey the idea that these 12 men came from the polls and went to the Excelsior Hauling stable?—A. Yes, sir.

Q. And that they had no right to vote?

(Objected to.)

MR. HOLTCAMP. Counsel for contestee is making a misstatement there. The witness has not made any effort to convey any impression; he simply states, in answer to a question, what he saw.

Q. You are not in a position now to swear—A. Or affirm—

Q. Or affirm, or in any way, under oath, state that these men voted more than once.—A. I never said for a minute that I was.

Q. You are not endeavoring to convey that impression, are you?—A. No, sir. You are at liberty to draw any inference that you want to.

Q. Do you know how many men are employed in the Excelsior Hauling stables?—A. No, sir.

Q. Do you know whether or not those men which you claim were being led around through that district are employed at the Excelsior Hauling Company's stable?—A. No, sir; I don't know whether they are or not.

Q. Were they in charge of, or under the direction of, anyone employed at the Excelsior Hauling Company's stable?—A. I haven't the most remote idea. The man I allude to was an utter stranger to me; I never saw him before or since. I don't know the man to meet him; don't know anything about him.

Q. What was the method of leadership as carried on by this man?—A. The men themselves were traveling in single file. Understand?

Q. Yes, sir.—A. And this leader man was not in the file; he was outside, at the head of the column. You could see that he looked forward and back, to see that they were following, like sheep. I don't know what he was looking for, but that appeared to be what he was doing, and they followed him, and he waited at the saloon door at Spring avenue until they came up with him and he handed them slips.

Q. How far away were you at the time?—A. At that time the police had driven us up to the corner, over 100 feet away.

Q. Over 100 feet away?—A. Yes, sir.

Q. And you saw him hand each of those men in single file a slip?—A. I don't know whether he handed every one of them; but he was handing slips out and they were taking them.

Q. How many did he hand out?—A. I don't know.

Q. About how many?—A. That I don't know.

Q. About how many men were there?—A. I should say 50 to 75 passed him.

Q. Fifty or 75 men walking along in single file?—A. Yes, sir.

Q. About what distance did that take, Captain, for these men to cover? About how long a string was it in feet?—A. Perhaps 125 to 150 feet.

Q. One hundred to 150 feet?—A. About 150 feet long; I didn't measure it.

Q. Well, you had a pretty accurate idea of the number of men—50 or 75? You figured that there were about that number? That would make a string about 150 feet in length?—A. All I can say about that is to guess at it, because I didn't—

Q. You are guessing at this 50 or 75, aren't you?—A. I should say there was 50 or 75 as a matter of judgment; as to the number of feet they occupied, I didn't look at it; didn't consider it.

Q. You say that these 50 or 75 men, or a portion of them, were handed slips. Now, what proportion—about what number of men were handed slips?—A. I don't know; they might have been all handed slips; every one of them, for all I know; I am not in a position to say that they all were.

Q. How many did you see?—A. I don't know.

Q. Did you see any?—A. Yes, sir.

Q. How?—A. Yes, sir.

Q. How many, now? Go ahead and figure up about how many you saw.—A. It would be guesswork.

Q. Exactly; now isn't the whole thing guesswork?—A. Oh, well—if you have anything further to ask me, ask me, sir.

Q. I am asking now whether or not you know how many slips were handed out?—A. I don't know.

Q. Were there 25?—A. I should say there was more than 25.

Q. How many more?—A. I don't know.

Q. You will guess 25?—A. I guess there was more than 25.

Q. How many more will you guess?—A. I believe I will stop right now on the guesswork.

Q. Well, I am glad of that; it's pretty near time. Now, you say you saw men coming from Spring avenue and Forest Park boulevard?—A. Well, wait a minute. Spring avenue and Forest Park boulevard? Yes.

Q. Which way were they coming?—A. They came—I could see them from where I stood, coming south on Forest Park boulevard—coming east on Forest Park boulevard, on the south side of the street; Spring avenue; and then south on Spring avenue to the saloon.

Q. What street were you on?—A. I was on the corner of Spring and Manchester road.

Q. You saw them coming east?—A. Coming east on Forest Park boulevard to Spring avenue.

Q. And you were on the corner of Spring avenue and Manchester road?—A. Spring avenue and Manchester road.

Q. How far is that away from Forest Park boulevard, about?—A. Well, I will have to guess at it. There is quite a small block there; not a very deep one; perhaps 150 feet. That is the block from Manchester road to Forest Park boulevard; may be more or less, I don't know. Then I was on the opposite side of the street; perhaps I was altogether 250 or 300 feet away.

Q. Isn't it two blocks from Manchester avenue to Forest Park boulevard? Two good long blocks?—A. No.

Q. Doesn't Clark avenue come in between Manchester road and Forest Park boulevard?—A. I don't think it does.

Q. Don't think it does?—A. No, sir.

Q. How much time were you out there that day?—A. I was there from half past 8 until half past 4, about.

Q. Did you cross from Spring avenue over north?—A. When?

Q. Any time at all.—A. No, sir; I did not.

Q. Spring avenue north, from Manchester road?—A. Spring avenue north. I passed north on Spring avenue from Manchester road to Forest Park boulevard, as I tell you.

Q. Yes.—A. And then west on Forest Park boulevard to Vandeventer.

Q. Now, this block that you walked around there, from Manchester road and Spring avenue to Forest Park boulevard, west on Forest Park boulevard to Vandeventer—is that it?—A. Yes, sir.

Q. Then south on Vandeventer to Manchester road, and back to Spring?—A. Yes, sir.

Q. That is the one block you walked around?—A. Yes, sir.

Q. Now, if I tell you that that particular route covers two blocks, will you deny that?—A. No, sir, I would want to see the map.

Q. I am asking for what you know of the route that you covered. Isn't it a fact that Clark avenue is between Manchester avenue and Forest Park boulevard?—A. It may be.

Q. Isn't it a fact that from Spring avenue and Manchester road to Forest Park boulevard is over 500 feet?—A. I don't think it.

Q. Isn't it a fact that it is almost 700 feet?—A. It may be, but I say I don't think it.

Q. You don't think it?—A. No, sir.

Q. Now, isn't it a fact that from Manchester road and Spring avenue there is quite a hill on Forest Park boulevard?—A. I wouldn't consider it such; it is up grade.

Q. And isn't it in such condition that it is absolutely impossible for you to see where anyone comes from on Forest Park boulevard? From the position you were, at Spring and Manchester avenues?—A. I say again, that from the corner of Spring and Manchester avenues I saw men coming along Forest Park boulevard, on the south side of that street to Spring avenue, thence south on Spring avenue to the Manchester road.

Q. Now, when you saw this you were standing at the corner of Spring and Manchester avenues?—A. That is what I tell you.

Q. And you were in a position to see men come along east on Forest Park boulevard?—A. Yes, sir.

Q. On the south side of the street?—A. Yes, sir.

Q. To Spring avenue?—A. Yes, sir.

Q. And turn south on Spring avenue?—A. Yes, sir.

Q. You make that statement?—A. Yes, sir. Now, let me ask you one thing.

Q. I don't want to argue with you; I simply ask what you saw.—A. I want to ask a question now.

Q. No; I am asking you. You will please answer the questions I put to you.—A. I want to ask that question right now. I want to—

COUNSEL. You are asking the question under the protest of counsel for the contestee.

THE WITNESS. Very well. That is my first and last visit to that locality; I came away from there with the impression that the Excelsior Hauling stable was on Forest Park boulevard and Vandeventer avenue. Now, it may be I am mistaken as to that street that the Excelsior Hauling stable is on.

Q. Yes; and this statement that you are making is founded on the fact that you believe that the Excelsior Hauling stable is in such a position that you can represent that these men came from there, isn't it?

Mr. HOLTCAMP. Don't answer that question.

Mr. WALSH. We object to the direction being given by the contestant's attorney at this time and place to the witness to refuse to answer a properly put question.

Mr. HOLTCAMP. Don't answer that question.

Mr. WALSH. You will answer that question. Mr. Notary I call on you to insist that this witness answer this question.

Mr. HOLTCAMP. Don't answer the question until you have finished making your answer, then you may answer as you see fit.

Mr. WALSH. I am asking for a ruling of the notary whether or not the witness shall answer that question.

The NOTARY. Well, let the witness explain.

Mr. WALSH. I want him to answer that question. I have put a question to him; the witness can explain from now until next spring if he thinks it necessary, but I want him to answer a question I am putting on cross-examination.

The WITNESS. You interrupted me while making the answer.

Mr. WALSH. Yes; and I will interrupt you whenever I think it necessary. The witness was making a statement I didn't ask him for and I refused to receive it.

Mr. HOLTCAMP. But I want it.

Mr. WALSH. You may get it on direct examination.

Mr. HOLTCAMP (to the witness). You may complete your answer.

Mr. WALSH. Under the protest of counsel for contestee. We object to this statement made by attorney for contestant.

Mr. HOLTCAMP. You may finish.

Mr. WALSH. We also object to this as breaking into the cross-examination by contestee.

The NOTARY. Answer the question if it is so you can answer it.

A. I wasn't making an explanation. I was asking—

Mr. WALSH. I am not asking you that, Mr. Stuyvessant.

Mr. HOLTCAMP. Let the witness have some chance. If you wish, we will take the witness off, and you can fill the record with your speeches like these.

Mr. WALSH. I insist and suggest that Captain—Major—General Holtcamp has introduced a statement into the record which has absolutely no right here—that I am endeavoring to conduct the cross-examination of this witness, and I am being prevented from doing so by Captain—Major—General Holtcamp.

Now, if you please, I would like an answer to my question.

(Question read.)

The WITNESS. That question sounds to me a little impertinent. Please read it over again.

(Question reread.)

The WITNESS. I have no objection to answering that question, but I don't consider it a fair question. I am not representing that these men came from the Excelsior Hauling stable; I don't know whether they came from there or not. What I have said was that they went back there, and they came there from that direction.

Q. You made the statement that if the Excelsior Hauling stable was, as you believed, on Forest Park boulevard and Vandeventer, that that was where you saw them coming from. Now—A. Well, wait a minute. Put that again.

(Question read.)

A. I didn't say any such thing.

Q. When you were endeavoring to locate on Forest Park boulevard the Excelsior Hauling stables, what did you say?—A. What I said was—I asked for information as to whether or not the Excelsior Hauling stable was located on the corner of Vandeventer and Forest Park boulevards. I made no representation as to these men coming from there.

Q. What difference does it make as to where these men were coming from, whether the Excelsior Hauling Company's stables is located on Forest Park boulevard or Lindell boulevard?—A. The question was suggested by your proposition that Clark avenue came between Manchester road and Forest Park boulevard.

Q. Now, for the purpose of explaining that proposition, that Clark avenue intervenes between Manchester road and Forest Park boulevard, isn't it a fact that these men were coming from the next street north of where you were standing?—A. Why, yes; that would follow, but I would like to ask somebody here whether it is or not.

Q. I don't want you to give information here that you have not secured out at the place that you claim to have learned all that you have stated?—A. Very well, then. The vital point of my statement was that I saw these men coming along the street

that the Excelsior Hauling stable is situated upon and Spring avenue. I saw them coming along that street from where I stood at the polling place to Manchester road, and from there to the polls. And you can infer from that if you choose that they came from the Excelsior Hauling stable. I don't say that they did.

Q. Your statement that they came along the street on which the Excelsior Hauling Company's stable is located at the extreme western end—A. Well, wait a minute. I don't say that. I don't say I saw them coming from the extreme western end, if that is what you mean. I say I saw them coming into Spring avenue from the east side of the street that the Excelsior Hauling stable is situated upon, which street I believe is Forest Park boulevard.

Q. Now you saw them coming from the east side of the street?—A. They were on the south side of the street—of the street that the stable is located upon. That street runs east and west.

Q. Yes.—A. They were coming east on Spring avenue.

Q. Well, they were coming east on the street that the stable is located on, and south on Spring avenue?—A. Spring avenue runs north and south.

Q. Where were the polls located?—A. The polling place was located next door to a saloon on the northwest corner of Spring avenue and Manchester avenue.

Q. Isn't that Prospect avenue?—A. It may be, for all I know.

Q. Did you make any effort to discover where you were?—A. I came away with the information that those streets were as I have given them to you. Spring street I know about, and Manchester road I know about. And the street that the stable is located upon, my impression was that it was Forest Park boulevard.

Q. Did you observe a street known as Prospect avenue while you were there?—A. If I did, I have forgotten it.

Q. Was the polling place on Spring avenue, on Prospect avenue, or on Manchester avenue?—A. It was on Manchester avenue.

Q. Manchester is just east of where you were on Spring?—A. It was on the north side of Manchester avenue, next door to the corner—to the northwest corner of Spring and Manchester where I was standing after the police drove us away at the instigation of—well, somebody. I was located on the southeast corner of Spring and Manchester avenue. And from there I saw these colored men coming through from the street upon which is situated the Excelsior Hauling Company's stable. Now Spring avenue—south on Spring avenue to the polls, that string of men was led, generaled.

Q. Going along in single file?—A. About 150 feet, the file was, in length.

Q. That is guesswork as to that?—A. I know there was 50 or 75 of them.

Q. Did they make any effort to prevent anyone knowing who they were? Did they walk along in single file, boldly?—A. Boldly; as though they had a corps of drums.

Q. Made no effort to conceal themselves?—A. No, sir.

Q. Wore no disguises?—A. No, sir; not even Indians.

Q. Went in and voted at the polling place, as far as you know?—A. Yes, sir.

Q. As far as you know, every one was entitled to do it?—A. Just like a pack of sheep. I was ashamed of them. I went home with the idea firmly in my head that there was no use of my voting any more in St. Louis.

Q. You had voted that day?—A. Yes, sir. I made up my mind that I would never vote again in St. Louis under the existing law.

Q. Oh, the existing law. Now, what is the matter with the existing law?—A. Well—

Q. What do you know about the existing law?—A. I know as much as you know about it.

Q. Go ahead now and tell us. I would like to hear it. What is it you know about the existing law that makes it any different or any worse than any other law? Just give the particulars.—A. Well, we will go into that if you want to.

Q. Go ahead.—A. In the first place, there was no registration list on the outside of the polls; there was only one registration list, and that was in the custody of the judges.

Q. Go ahead.—A. Well, that is pretty near enough, I should think. That opens the door right off to fraud.

Q. Is that all you know of it? Tell what you know. Go ahead and tell me where it is a bad law.—A. I ain't through with it yet.

Q. Well, I will wait until you get through.—A. Another thing is that the registration list for the Twelfth Congressional district, the registration lists generally, as I am informed by the public prints, were not obtainable until the eve of election for comparison or correction. Of course the mere fact that it is in the newspaper does not make it a fact, but if you discount that 50 per cent it is bad enough. Another

thing that I think is wrong in the existing law is the fact that any kind of men—the kind of men that are made judges and clerks—is not good enough.

Q. What?—A. The grade is not high enough. Not good enough men. For instance, in the testimony before the court here yesterday, or the day before, there was a man testified that he was afraid not to sign the roll for fear that he would be sluggish.

Q. That is something that you have heard since election and has no particular bearing on the law, does it?—A. It is a consequence of the law; a consequence of appointment of improper men, and these men feel they don't act under proper protection.

Q. Who appoints those men?—A. I don't know.

Q. Don't know anything about that?—A. Why, yes.

Q. Well, what do you know about that? Do you know that this law provides that each party shall appoint their own judges and clerks, and that they see that they are appointed at each election?—A. What difference does that make if they don't appoint the right kind of men.

Q. Who is responsible for the failure of Republicans to appoint good competent men?—A. The same class of men who are responsible for the failure of Democrats to appoint the right sort of men.

Q. The men who are responsible for the appointment of Republican judges and clerks are the Republican committeemen, are they not?—A. I presume they are. They are politicians.

Q. And they are elected or appointed by the Republican party, are they not?—A. Same as the Democrats.

Q. Exactly. So that each party has exactly the same protection in the matter of appointing judges and clerks?—A. So far as they are represented by the ward committeemen, but can't we have the appointees scrutinized in some way by a higher power; from a higher source? You know very well—

Q. Do you know whether or not the judges and clerks have been appointed differently under any other law?—A. Yes, they were before; they were subject to revision before the circuit court.

Q. Who were?—A. The judges and clerks; a man could be tried, you might say—the question as to the propriety of his appointment.

Q. Under the other law, then, do you want to convey the idea that the judges and clerks who were appointed were of a higher character?—A. I say under the other law, so far as I know, the review of the judges and such appointments by a higher court was better.

Q. Do you know whether—A. I know there wasn't the same complaint in this city that there is now.

Q. Do you know why the same complaint wasn't made; do you know that under the other law the Republican party was absolutely, and that men like Julius Wurtzburger and William Flewellen Saunders were the men who handled these elections?—A. That may be the case for all I know; I am not acquainted with them.

Q. Don't you get the same information from Republicans with reference to Wurtzburger and Saunders that you do to anything else?—A. There wasn't any such complaint in this city under those election laws.

Q. That is, Republicans didn't make any complaint?—A. Neither did Democrats.

Q. You know that to be a fact?—A. Never heard of it. I know quite a number of Democrats.

Q. You don't come in contact with many Democrats?—A. Another thing I want to say, Mr. Walsh. I am not a hide-bound Republican; I never voted the straight Republican ticket, personally.

Q. You were exercising your rights in that matter?—A. Yes, sir; I did that.

Q. Now what else is it you know about this law that makes it such a disastrous law for the people?—A. I object to the partisan police force very much, which we see at the polls.

Q. The partisan police?—A. Yes, sir; I am not—

Q. What have the police to say around the polls? These partisan police?—A. I am not a partisan; I don't think it is consistent with American ideas or opinions that there should be a partisan police, or that they should have anything to do with the matter of protecting the law or having direction of it.

Q. What direction did the police assume? What are they legally entitled to assume under this law?—A. They are presumed to maintain order without favor or partiality at the polls.

Q. Well? Do you know anything to the contrary?—A. If I am to judge from the reports in the papers—

Q. Which you discount at 50 per cent?—A. Discounting them at 50 per cent, they are bad enough.

Q. Then it is reports that you get in the papers; they never come under your personal observation?—A. Yes; there was one feature came under my observation over there at the precinct. We were promptly ordered away; I was—

Q. You were not there with the credentials from any party, were you?—A. No, sir; I was there as an American citizen: I had a right to be there.

Q. Within a hundred feet of the polls?—A. Yes; or without a hundred feet.

Q. Were you ordered away after that? After you were a hundred feet from the polls?—A. No, sir.

Q. You were told to stay a hundred feet from the polls?—A. Yes, sir.

Q. You knew that the law prohibited you from remaining within a hundred feet of the polls?—A. Yes, sir; but you are on the wrong track. You stopped me before I got through.

Q. Pardon me. I didn't intend to do that.

The WITNESS. They ordered us away, but they didn't order away the Democratic watcher, and he was there under pay, I presume. At any rate he acted as though he was. He was running things.

Q. Don't you know the Democratic watcher was there with credentials from his committeeman entitling him to be there under the law?—A. Within a hundred feet?

Q. Within a hundred feet, yes, or in the polls, if necessary, and, at the close of the day, inside of the polls watching the counts of the ballots, in connection with the Republican watcher?—A. I did not know that, and I don't believe it. Now, I'll tell you why.

Q. Don't believe it is in the law?—A. I don't believe he was there with credentials, and I'll tell you why; because, when we called the attention of the policeman to the fact that the man was there, within 50 feet of the polls, he went over and ordered him away, not before.

Q. Who was he?—A. Who was who.

Q. This man that was ordered away?—A. His first name was Leo.

Q. Do you know his last name?—A. I don't know his last name. A good-looking fellow.

Q. This was a young man?—A. Yes, sir.

Q. Rather stout?—A. Yes, sir.

Q. Rather a good-looking young fellow?—A. Yes, sir.

Q. And very active around the polls?—A. No, sir. He was—

Q. Did you hear his last name? Would you recognize it if I told you?—A. I don't know whether I heard his last name or not.

Q. Well, Leo Lueders?—A. I can't identify it.

Q. Can't identify the name?—A. But he wasn't active; he was slow.

Q. This young man is the man who was ordered away from the polls after you protested?—A. And went.

Q. And was the only one around except yourself at these polls?—A. No, sir; there was another man there for the Democrats bringing in voters.

Q. No Republicans at all working there?—A. No, sir; none that I saw.

Q. None were there?—A. No, sir.

Q. You don't know whether this man bringing in voters was bringing in Democratic or Republican voters, do you?—A. Yes, sir; he was bringing in Democratic voters, because he was apparently working under the direction of this man Leo.

Q. You have been around election polling places before at election times, haven't you?—A. Very seldom.

Q. Haven't you ever noticed that there were men active for both parties in endeavoring to induce people to go and vote?—A. I have taken that for granted.

Q. You have frequently seen carriages and wagons used for the purpose of bringing voters to the polls, haven't you?—A. Oh, yes.

Q. That is a common thing out in your own precinct?—A. Yes, sir.

Q. There were no wagons in use at this election at all, were there?—A. I think not.

Q. Only the men walking up to the polls and voting?—A. Yes, sir; I don't think I saw any coming in carriages.

Q. Nor in wagons?—A. Nor in wagons.

Q. They walked?—A. I guess so; I don't think there was any wagons.

Q. You didn't observe any carriages with Republican banners on them inviting votes for any one or bringing them to the polls?—A. I don't think so.

Q. You noticed considerable apathy in Republican ranks along that line, didn't you?—A. There was no Republicans assisting or endeavoring to get out votes in this precinct at all that day. I didn't see any.

Q. Did you out in this precinct where you voted?—A. I was there about 7 in the morning. I don't think there was anything of the kind going on then.

Q. Are you familiar with the political complexion in the Republican party in the Twelfth Congressional district?—A. I haven't paid close attention to it.

Q. Have you observed anything in the Republican ranks prior to the election on November 4?—A. Well, what do you refer to?

Q. Well, wasn't there quite a factional fight in the Republican party?—A. May have been among the politicians. I don't think it was among the party. I don't think the party cared anything about it.

Q. Don't you know that there was a convention held by the Republicans of the Twelfth Congressional district at Chatsworth Hall on the 4th day of October for the purpose of nominating a candidate for Congress in the Twelfth Congressional district?—A. Oh, no; I don't know that. I may have known it and forgotten it.

Q. Did you see in the newspaper accounts of the fact that George C. R. Wagoner and E. H. Loffhagen had been nominated for Congress in the Twelfth district?—A. I presume I did if it was there. I don't pay much attention to those things.

Q. Didn't you see that George D. Reynolds was nominated for both terms?—A. Yes, sir.

Q. Don't you know that George D. Reynolds was nominated for both terms, or alleged to be nominated for both terms, and that subsequently George C. R. Wagoner and E. H. Loffhagen were nominated, respectively, for the short and long term?—A. That is probably true.

Q. Don't you know that to be a fact?—A. No, sir; I have forgotten. If I ever did know it I have forgotten the details.

Q. You know George D. Reynolds?—A. Yes, sir.

Q. Do you know Mr. Loffhagen?—A. No, sir.

Q. Do you know Mr. Wagoner?—A. Who is Wagoner? I don't know those men. I don't care anything about them; don't know anything of them.

Q. You do know George D. Reynolds was alleged to have been nominated?—A. Yes, sir.

Q. And was on the Republican ticket for both terms?—A. I don't know.

Q. You don't know?—A. I presume he was; I don't know.

Q. Do you know whether there was any other candidate for Congress in the Twelfth Congressional district on the Republican ticket?—A. Oh, yes; Wagoner was on it. Wagoner was on for the short term finally, I believe, and Reynolds for the long term, I understand.

Q. So, although the Republican party had apparently nominated Geo. D. Reynolds for both terms, Geo. C. R. Wagoner was on the ticket for the short term?—A. Yes; I think that is correct.

Q. What became of Reynolds's candidacy for the short term?—A. I don't know.

Q. You don't know?—A. No, sir.

Q. Don't you know that after two conventions had met and nominated rival candidates, that subsequently they made an effort to get together, and that they made a compromise and placed Geo. C. R. Wagoner on the ticket for the short term and Geo. D. Reynolds for the long term?—A. I think that was the ultimate settlement of the matter.

Q. Now, don't you know that there was quite a factional fight in the party, and that the St. Louis Republican Club element ousted the Merchants' League Club element from the city central Republican committee?—A. I am a member of the St. Louis Republican Club, but I wasn't aware of that particularly. I consider that matter as a matter for the politicians, and of no interest to the public at large. I paid no attention to it.

Q. Don't you know that the State Republican committee came into St. Louis and decided that the St. Louis Republican Club element were entitled to take the position that they did?—A. All I remember of that is that the State Republican committee came in and did something. What they did I don't know.

Q. Don't you know that a suit was filed by the majority of the Republican city central committee endeavoring to restrain the minority from acting under an alleged arrangement made by the State Republican committee?—A. Well, that is not one of those things upon which my recollection is definite. I skip all those things in the newspapers.

Q. Do you know who was chairman of the convention at which Geo. D. Reynolds was nominated?—A. No, sir.

Q. Do you know who was chairman of the Congressional committee in the Twelfth district of the Republican party?—A. No; I don't know. I am not a politician; I am a business man. I want clean elections. I want a vote, and I want it counted; I don't want it overwhelmed by a hundred fraudulent votes.

Q. Your information along that line has been secured from the newspapers, hasn't it?—A. Yes; largely, until I went over to this place over here.

Q. Well, now, what fraudulent vote did you see cast at that precinct on election day?—A. I haven't said anywhere that I saw one fraudulent vote.

Q. You didn't see a single fraudulent vote, or a vote that you could state was a fraudulent vote cast in that precinct, did you?—A. I didn't see a vote cast of any kind. How could I?

Q. And you—A. Of either kind.

Q. No, and you didn't see any person that you could charge with having voted illegally, did you?—A. Not a one. There is lots of things I don't see that I know to be true.

COUNSEL. Well, for the purposes of this investigation we only want to know what things you know anything about. That is all.

A. G. KELLOGG, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposes and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. A. G. Kellogg.

Q. Where do you reside?—A. 2647 Washington avenue.

Q. Were you present at a polling place on the 4th day of last November, Mr. Kellogg?—A. Yes, sir.

Q. Where?—A. Fourth precinct, Twentieth Ward.

Q. Did you observe anything there that day in connection with the casting of the vote that was irregular or improper?—A. Well, in my impression there was. A number of times during the day there was a large negro man with a great big Jefferson Club badge on him came around several times, and he met three or four men there, and he took them up to the corner, up to a saloon, and they would come back and would go in and vote, and every time they came back as the policeman came up he had a drink up there and told the others there was a drink there. I don't think that is hardly permissible.

Q. How long was it that this went on?—A. I was there about 6 o'clock in the morning until 6 in the evening. I think they were there five times during the day.

(Counsel for contestee objects to the examination of the witness for the reason that no notice of intention to take witness's deposition to-day before a notary has been given.)

Q. I understand you to say, then, before these parties would return from the corner and go into the polling place the policeman would leave?—A. No; the policeman generally stayed there until they came back. One would go with them and one stayed there. Then he would come back and say "There is a drink at the corner for you," and the other one would go up.

Q. Do you know who the police officers were?—A. That I can't say. One of them was the regular man on the beat and the other one was from—if I remember right, he said the Fourth district. He wasn't a man that belonged there in the district at all.

Q. You were not judge or clerk?—A. No, sir.

Q. Just happened on the outside?—A. Yes, sir. Mr. Day asked me to go over there, and see if I could help them in any way, in any canvass for the party. I was supposed to be pretty well acquainted with the men there?

Q. Did you make the canvass of the registration?—A. No; I made a canvass for the city central committee.

Q. Did you compare that canvass with the registration?—A. No, sir; I never had a copy of the registration.

Q. You observed nobody going there to vote that day whom you knew were not entitled to vote there?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. What is your name, sir?—A. A. G. Kellogg.

Q. Where do you live?—A. 2647 Washington avenue.

Q. You say you made a canvass of the precinct?—A. Yes, sir.

Q. What precinct and ward was that?—A. Fourth precinct, Twentieth Ward.

Q. Who appointed you, or induced you to make that canvass?—A. Charley Day.

Q. You made that under the direction of Charley Day?—A. Yes, sir.

Q. That is the fourth precinct, Twentieth Ward?—A. Yes, sir.

Mr. WALSH. Well, we won't bother with this witness. That is not in the Twelfth Congressional district, either new or old.

FRED. TICHMAN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Fred. Tichman.

Q. Where do you live?—A. No. 223 North Third street.

Q. In this city?—A. Yes, sir.

Q. Across from the old post-office?

(Counsel for contestee objects to the introduction of this witness on the ground that in the notice the residence is not given as stated by the witness, and that the contestee has no notice of any such address as the witness has given.)

The WITNESS. Well, it is 221 and 223; the same house. I live on one side and the rest live on the other side, upstairs.

Mr. HOLTCAMP. 221 and 223 are practically the same building?—A. Same building; yes, sir.

Q. How near to the polling place of the first precinct of the Fourth Ward is that?—

A. I guess about 40 or 50 feet—not any more.

Q. Did you notice anything on the day of election at that polling place?—A. No, sir; I wasn't out of the house.

Q. You were not out of the house?—A. No, sir; I didn't vote this year. Last year Mr. McBride was clerk there, and I voted—registered and voted. This year I didn't go up because I didn't have anybody there I knew. I had my vote stole twice there on Sixth street when I lived there. I got my vote stole every time, and I said I wouldn't vote unless I knew the clerks in the place; that is the reason I didn't vote this year.

Q. Do you know how many people were registered from this building?—A. Well, there is only 3 voters there that I know of, upstairs. Below there is about—I don't know how many. There is Mr. Ayers, Mr. Campbell, and me—that is all upstairs.

Q. When you say "below" what do you mean, the ground floor?—A. The ground floor; on the level floor there is 2 barbers and a bootblack.

Q. Do they live there?—A. No, sir; they don't live there.

Q. Well—A. And there is a saloon man; he don't live there either. There is a saloon man that I know of. That is all the voters I know in the building.

Q. Do you know how many men registered their names?—A. No, sir; I didn't examine that; didn't pay any attention to that. I was mad, because I might as well say I didn't have no vote. If they steal my vote—

Q. There was only 3 voters?—A. That was all I know.

Q. Living in the house?—A. Living in the house.

A. D. WELD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. A. D. Weld.

Q. Where do you reside?—A. 2945 Olive.

Q. Were you judge or clerk of election on election day?—A. I was judge.

Q. For what party?—A. Republican party.

Q. What polling place?—A. Seventh precinct, Twenty-second Ward.

Q. Did you have anything to do with the revision of the registration in your ward; in your precinct; did you examine the canvass or the result of the canvass?—A. No, sir.

Q. On the day of election were you present as judge?—A. Yes, sir.

Q. Do you know whether a canvass was made of that precinct?—A. Yes, sir; I am quite sure it was.

Q. Do you know whether or not any names were stricken from the registration list?—A. I think there were very few; I don't know how many.

Q. Were there any votes attempted to be cast that day by persons not entitled to vote at that precinct?—A. There may have been one.

Q. What do you mean by "there may have been one;" was there or was there not?—A. Yes; I think there was one.

Q. Did you sign the returns?—A. Yes, sir.

Q. How long did it take you to count the vote?—A. We left there about 2 o'clock.

Q. In the morning?—A. Yes, sir.

Q. Who were the other judges and clerks?—A. Mr. Boswell and Mr. Guthrie, Mr. Nixon and Mr. Finn—some such name.

Q. Who was present in the polling place during the time the vote was counted besides the judges and clerks?—A. Mr. Dooley.

Q. Who?—A. Mr. Dooley.

Q. Who is Dooley?—A. He keeps a carpenter shop on Olive street west of Garrison.

Q. In what capacity was he there?—A. I think he was there as a watcher.

Q. Did he take part in the work?—A. Yes, sir.

Q. Anyone else?—A. No, sir. Two policemen in there.

Q. Did they take part in it?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Who was this one that tried to vote?—A. I don't know who he was. He didn't vote, however.

Q. You didn't let him vote?—A. No, sir.

Q. What did Dooley do in the matter of helping you?—A. He helped in the count. He was there from the Jefferson—

Q. Was he called on?—A. He was from the Jefferson Club. He had his credentials.

Q. With reference to counting, what did he do?—A. Sat at the table.

Q. Did you ask him to sit at the table with you?—A. No, sir.

Q. Did you tell him to stop it?—A. No, sir. He had his credentials there from the Jefferson Club.

Q. Did he do anything that wasn't right or anything wrong there?—A. Not that I know of, sir.

Q. It was right there in your presence?—A. Yes, sir.

Q. Was the Republican challenger there?—A. No, sir.

Q. Anybody there to represent the Republican party?—A. There was a Republican challenger there until after dinner, and he went out.

Q. Was there a Republican watcher there when you were counting the vote?—A. No, sir.

Q. You had no objection to any Republican watcher there, had you?—A. No; I had no objection.

Q. You would have given him exactly the same treatment as—A. I had no objection if he behaved himself all right.

Q. Dooley behaved himself all right, didn't he?—A. I think so.

Q. He didn't do anything out of the way at all?—A. No, sir; only he was a little fresh, sitting down there.

Q. Did you object or try to stop him or prevent him?—A. No, sir.

Q. If a Republican watcher had presented himself there, you would have treated him just the same as you did Dooley, wouldn't you?—A. Yes, sir.

Mr. HOLTCAMP. Did Dooley show you any credentials from the Democratic central committee?—A. Yes; he showed me his—

Q. Or from the Jefferson Club, which?—A. The Jefferson Club, I think it was.

Q. I asked you about the Democratic central committee.—A. It was the Jefferson Club, I think.

Q. That is the club that Mr. Hawes, president of the police board, is president of?—A. Yes, sir.

Mr. WALSH. Who were the credentials signed by?—A. I don't recollect just now.

Q. Do you know whether or not they were signed by Mr. Hawes or anyone representing the Jefferson Club?—A. Yes; it was somebody representing the Jefferson Club.

Q. Now, don't you know that it was the central committeeman of the ward who signed those credentials?—A. No; I don't.

Q. How do you know they were from the Jefferson Club?—A. Because I read it.

Q. You did read it? What was the language contained in the credentials?—A. I can't say just what it was. It was a yellow paper, I believe.

Q. A yellow paper?—A. Yes, sir.

Q. Printed on paper?—A. Yes, sir.

Q. Who was it signed by?—A. I can't say that.

Q. Wasn't it a paper about that size [indicating]?—A. A little wider.

Q. A little wider than that?—A. Yes, sir.

Q. And that was what you saw? You saw a paper a little bit wider than that?—A. About that length and a little wider.

Q. Now this book that I show you is about 8 inches long; the width of the credentials was possibly about 6 inches?—A. Yes, possibly.

Q. It was a paper about 8 by 6 inches, and as you remember it it was a yellow paper?—A. Yes, sir.

Q. And you don't remember the signature on it—A. On the bottom?

Q. On the paper presented?—A. No, sir.

Q. Your memory simply leads you to believe that it was a Jefferson Club credential?—A. Yes, sir.

Q. But as to whether it was signed by Mr. Hawes or anyone representing Mr. Hawes you will not say?—A. I couldn't say as to that.

Q. You don't remember what the signature on it was at all?—A. No, sir; I can't say.

BEN. ROSENTHAL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Ben. Rosenthal.

Q. Where do you live?—A. No. 2136 Walnut.

Q. Were you living there the 4th day of last November?—A. Yes, sir.

Q. How many men lived in your house on the 4th day of last November?—A. Nobody but myself, and I rent out the back part of it.

Q. Did Henry Connelly live at 2136 Walnut street on that day?—A. Connelly? I don't know him.

Q. Did Randy Mitchell?—A. I don't know none of them. There was a lot of them met there in the back part. Whatever they used it for I don't know. Colored and white, all mixed together.

Q. Did Edward McPeck live there? Pete Maloney?—A. Don't know none of those names.

Q. Joseph Miller?—A. No.

Q. William Phelps?—A. No.

Q. Michael Gwynne?—A. No.

Q. John Rodgers?—A. John Rodgers? There was a Rodgers worked for me. I don't know whether his name was John Rodgers or not.

Q. Did he live there?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Do you know, Mr. Rosenthal, whether there are two numbers known as 2136 in that block?—A. I believe there are; I am not sure. I believe that is the Veiled Prophet's den.

Q. The Veiled Prophet's den?—A. Yes, sir; a lot of people work there.

Q. Isn't it a big house on the corner, known as 2136?—A. I believe it is.

Q. So that you don't know—A. There's lots of them come there and ask for that number; bring packages there; they generally go up to the corner.

Q. Leave them there?—A. Yes, sir.

Q. So that whether or not the parties that you have been asked about there live at 2136 Walnut, you don't know?—A. That I don't know; no, sir.

Q. And you did rent out the back part of your premises, and it was used as a kind of rendezvous or club house?—A. I don't know what they used it for.

Q. There was a lot of people there; you don't know who they were?—A. No, sir.

By Mr. HOLTCAMP:

Q. Did James Smith live there?—A. Smith works at the den, I believe.

Q. Sam Vail?—A. I don't know him.

Q. Tony Williams, Henry Wilson, James Wilson, Harry Young, John Crowley, Michael Dunn, John Dugan, John Davey, Mitchell Randy—not Randy Mitchell as in the other name—Mitchell Randy?—A. Not that I know of.

Q. Edward M. Owens?—A. He lives on the other side of the street.

Q. Not at 2136?—A. No, sir.

Q. Richard Handel? These names I have read you are given here as registered from 2136 Walnut. You don't know any one of them living there?—A. Not at my number; no, sir; unless there is two numbers of 2136; that I don't know.

Mr. WALSH. You observe that the list from which counsel has been interrogating you is a printed list; it is not the registration book from the election commissioners' office.

Mr. RICHEY. It is the official list of registered voters of the fourth precinct, Fourteenth Ward.

Mr. WALSH. When you prove to me that that is the official list I will accept your statement.

Q. But you observe that that is a printed list; it is not the registry list; there are no names written on the list?—A. No, sir.

Q. It is a printed list?—A. Yes, sir.

Q. And you don't know anything about these people, whether they live at 2136 or not?—A. No, sir; they don't live at 2136, unless it is at the corner.

Q. Or at the rear of your house?—A. Yes, sir.

RUDOLPH SIMON, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name?—A. Rudolph Simon.

Q. Where do you live?—A. No. 1359 Arlington avenue.

Q. Your business?—A. I am hired as a laborer by the Government.

Q. Where are you engaged for the Government?—A. Third and Olive.

Q. In the old post-office building?—A. Yes, sir.

Q. That is immediately across the street from the polling place of the first precinct of the Fourth Ward?—A. Yes, sir.

Q. Were you there on the 4th day of last November?—A. Yes, sir.

Q. Did you observe any irregularity in connection with the vote cast at that polling place?—A. Well, I was there from 7 o'clock until about 12; then I went out home and voted.

Q. Seven o'clock in the morning?—A. Yes, sir; to 12; then I came back about 2 o'clock in the afternoon and went over to the building; about 10 o'clock a gang came around and voted; some of them walked around the block and came in and voted again.

Q. Did you see that?—A. I was standing in the middle of the street.

Q. Did that occur oftener than those two times?—A. In the evening after 5 o'clock the niggers came up from the levee and voted.

Q. Did you have any conversation with any police officers?—A. Not until just after the polls closed; I was standing on a step and a policeman came to me and he said, "Get away from here, or I'll bust your head open." He said, "You have been watching here all day." I said I had nothing to do with it at all. He said, "Get inside where you belong."

Q. You are a watchman at that building?—A. No, sir; I am janitor; fourth floor.

Q. Of the Government building there?—A. Yes, sir.

Q. Do you know who the police officer was?—A. No, sir; I don't know; he had a red mustache; I didn't know any of the officers there that day; I saw Sergeant Cavanaugh there; I know some of the other officers on the beat; they were not there that day.

Q. Was this officer one that was usually detailed on that beat?—A. No, sir.

Q. Was he there during the day at the polls?—A. Yes, sir. The man that spoke to me was there during the day; had a red mustache.

Q. Did you see him during the day in conversation with this man—with these men?—A. No, sir; the only man I saw there all day was some fellow with a light overcoat; stayed around all day long. He had specs on; smooth face; I didn't know his name; didn't learn it.

Q. Was he in conversation or intercourse with the policeman that day?—A. Yes, sir; going back and forward all the time, in and out of the polling place.

Q. In and out of the polling place?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. You are a janitor?—A. I go on the pay roll as a laborer. I do janitor work.

Q. On the pay roll you are a laborer?—A. Yes, sir; that is the way all the janitors are put down except one man who is janitor.

Q. What is the purpose of putting you on the pay roll as a laborer; do you get laborer's pay?—A. Yes, sir; all the men employed in the building to clean up the building like I am are put on the pay roll as laborers.

Q. You say you saw men go away and walk around the block?—A. Yes, sir.

Q. And come back and vote?—A. Especially one young fellow that day; had a gray pair of pants.

Q. Was he white or colored?—A. A white man.

Q. And you saw him go back and vote how often?—A. He went in twice.

Q. Do you know whether he voted every time?—A. I seen him get a ballot.

Q. Both times?—A. Yes, sir.

Q. Were you within sight of the polls so you could look—A. I was on the edge of the sidewalk when that happened.

Q. You could look in and see him?—A. Yes, sir.

Q. See him get a ballot both times?—A. Yes, sir.

Q. See him vote both times?—A. I saw him cast the vote; I don't know what name he voted under.

Q. Do you know whether he voted the Republican ticket or Democratic ticket?—A. No, sir; I don't know.

Q. Was he in your view all the time?—A. Well, I could—I saw him go around the block and come back again. There was a light there then.

Q. Your eyesight isn't very good, is it?—A. Well, it is fair.

Q. Something the matter with your eyes, isn't there?—A. My eyes have been that way all my life.

Q. So you can scarcely open them?—A. Well, no; I can see. I have been a bartender fifteen or twenty years and I can see well enough to take in money and handle it.

Q. You are rather nearsighted?—A. In some cases I am. Now, at a quick sight I am. If I take in any view quickly, or if anything excites me, my eyesight kind of leaves me.

Q. So that at all times your sight is not really the very best?—A. No, not necessarily. I saw these men there; I had never seen them in that part of town before. I have been there five years. They were all in a bunch, so many of them together that it drew my attention. I have been around there a good many years.

Q. How many of them did you see in the bunch?—A. I guess there was about 20.

Q. Did you see any other besides that young man?—A. I won't swear to that, because they were all dressed pretty near alike. All had decent clothes on.

Q. Do you know whether any one of them voted more than once, aside from the one you speak of?—A. Well, that one I noticed particularly.

Q. This one you are positive of?—A. Yes; he came in twice.

Q. You didn't know him at all?—A. No, sir; he was a small man, I suppose about 5 feet 4½ inches.

Q. About what aged man was he?—A. I would judge he was about 27 years old.

Q. And he was the only one that you say you saw come in there twice?—A. He was the only one except the negro in the evening that I saw come in twice.

Q. Do you know whether the negro voted twice?—A. The negro got a ballot both times.

Q. Both times?—A. Yes, sir.

Q. What time in the evening was it?—A. About 5 o'clock. The lights were lit in the place at that time.

Q. Where were you standing at that time?—A. On the edge of the sidewalk watching the men come in.

Q. Standing there all day?—A. I was there off and on. I went in and got a drink at Melscheimer's; I was there from about 3 o'clock until the polls closed.

Q. From 3 o'clock until the polls closed?—A. Yes, sir.

Q. Standing on the step on the sidewalk all the time?—A. I would go inside and then out again.

Q. It was a very rainy day?—A. Yes, sir; in the afternoon it was. Before noon wasn't so bad, but from 3 o'clock until the polls closed it was raining pretty steady; it was drizzling.

Q. You stood in the rain that day?—A. No, sir; I would go into the building, back and forward. I was around.

Q. You were what?—A. I could see. After the polls closed, I went up and watched the returns in the rain.

Q. And you stayed from about 3 o'clock until the polls closed in the rain?—A. Not necessarily. I told you I was in and out.

Q. About what time was it that these men you noticed went in and voted the first time?—A. About 5 o'clock.

Q. When did this man vote the second time?—A. Well, I suppose about half past 6. Old Hibbard called my attention to it. He says, "There comes that fellow again."

Q. You would go from the position you had on the sidewalk to the saloon and get a drink?—A. Yes; and I would go back and stand there in the—you know there is an off-set in the building from the stairs.

Q. Yes. About how many drinks did you get? How many trips did you make to the saloon for a drink?—A. Oh, I suppose four or five.

Q. Drink whisky each time? You weren't caring for beer?—A. I don't recollect. I know I drank; I don't generally go into a saloon without taking a drink.

Q. You made frequent trips to the saloon that day?—A. No, sir; not necessarily; until the afternoon.

Q. During the time you were making these trips you took drinks right along and sometimes a couple of drinks?—A. No; generally one drink at a time. I wouldn't go there and take two or three.

Q. With your rather bad eyesight the drinks that you took didn't improve your vision, did it?—A. Well, I can generally see a little bit better when I get about half drunk than I can when I am sober. If you don't think so you might try it.

Q. Were you about half drunk on this occasion?—A. Well, that's asking a delicate question.

Q. Well, at half past 6, when this man made the second trip, you were pretty well on to a half drunk?—A. No, sir; I didn't get drunk. I stayed there that evening.

Q. You were about half drunk when your eyesight was improved. Isn't it possible that at half past 6 that you were half drunk, and that after dusk you made a mistake?—A. Well, I'll tell you I didn't make a mistake in this matter, because my curi-

sity was aroused seeing him. I didn't mind seeing a white man repeating, but it made me mad as hell to see a nigger repeat.

Q. At half past 6 it was quite dark, wasn't it?—A. Oh, yes; but the lights were lit so you could see in the place better than you could in the daytime.

Q. With the assistance of the lights and the half jag, you were able to perceive this man more readily than you would under ordinary circumstances?—A. Well, I was as close to him as I am to you when he came across the street. Maybe a little closer.

Q. What?—A. I don't know, maybe a little closer.

Q. Each time it would be a little closer?—A. No, sir; I am not talking about drinking now. I am talking about the man.

Q. Each time he made it a little closer? What do you mean by that? He came straight across the street to you?—A. Well, you know I was on the corner and whenever he came over I would watch him go in, when I walked over toward him and when he came out I would go to the corner, and he would go toward the levee.

Q. Is your eyesight strong enough to distinguish men in this room readily?—A. Well, yes; I can see—

Q. Take this man in the far corner. Describe his clothing.—A. The colored gentlemen?

Q. Yes.—A. He has got a kind of a dark shirt on; not very dark, not white either. Got brown clothes and gray pants.

Q. He has gray pants and a dark shirt?—A. Not a dark shirt. I would call it a calico shirt.

Q. What is the character of it as to its designs?

(Objected to as irrelevant, immaterial, and introduced into the record for the purpose of killing time and filling space.)

MR. WALSH. We are trying to test the eyesight of a half-jagged witness.

WITNESS. Oh, well now, I don't think you have any right to say that.

MR. WALSH. Not that you are half jagged now. I don't mean that.

THE WITNESS. I am only telling you what I saw. I don't think that is very gentlemanly. I didn't come here for the purpose of hurting anybody's reputation, and I don't want mine hurt; but this was so bold that my attention was drawn to it by several people and I stayed and looked at it.

Q. Your attention was drawn to it by several people?—A. Yes, sir.

Q. Who were the several people?—A. Paul Hibbard was one of them I think, Mr. Walsh.

Q. Who else?—A. Two men that I didn't know, that the police accused me of allowing to stay on the step. I don't know who they were. I didn't ask their names.

Q. Was that Paul Hibbard that you are looking at? That colored man in the corner?—A. No, sir; he is a man that works for the Government, the same as I do.

Q. Works for the Government in the same capacity?—A. Yes, sir.

Q. You are sure that you were perfectly sober on that occasion?—A. I was sober enough to know what I was doing. I never was drunk in my life except once, and then I didn't know I was drunk.

Q. But you had been drinking quite a little that day?—A. Well, like any other man. I take a drink when I feel like it, especially when I have the money.

Q. There was considerable excitement, and that caused you under the circumstances you have stated—you lose your eyesight under excitement?—A. No; I wasn't excited at all. My curiosity was simply aroused. I have lived in the Fourteenth Ward a good deal of my life and I have been at primaries and I have seen things done at primaries that I overlooked, but I never saw anything go on in a general election like it did down there that day.

Q. Are you a Republican or a Democrat?—A. Well, I vote the Republican ticket as a rule.

Q. The primaries that you refer to were Republican primaries?—A. No, sir; I never was in any—it was Democratic primaries. I was helping the Democrats out.

Q. What did you do there to help them out?—A. I wanted to help put in another Democrat.

Q. Did you vote at the Republican primaries, too?—A. No, sir; they wouldn't let me, and I didn't want to.

Q. You didn't want to?—A. No, sir.

Q. You were down there helping out a Democratic friend on that occasion?—A. Yes, sir.

Q. And assisting in making a Democratic primary bad?—A. Well, I didn't—I was entitled to the vote.

Q. Who was the Democratic friend that you were trying to help out at that time? (Objection renewed.)

A. I voted for Mike Collinane and Billy Collinane. I voted for Jim Butler there to beat Grabelle.

Q. You did vote for Jim Butler to beat Grabelle?—A. Yes, sir.

Mr. RICHY. That was a long time ago?

A. Well, it was a Democratic primary. They wanted Jim but they couldn't make him win that time.

CHARLES W. HOLTCAMP, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. You are a practicing attorney in this city?—A. Yes, sir.

Q. Where do you live?—A. 5802 Bartner avenue.

Q. Were you in St. Louis at the election held on Tuesday, November 4, of this year?—A. Yes, sir.

Q. Will you state what you know of that election?—A. Well, at the request of Mr. George D. Reynolds, I went over to the twelfth and thirteenth precincts of the Twenty-third Ward. I also went to the first precinct of the Fourth Ward. I observed the conduct of the election while I was there. I went over to the twelfth precinct of the Twenty-third Ward early in the morning and remained there a little while and came on down town. At his request I went down to the first precinct of the Fourth Ward opposite the post-office. While there I saw a crowd come up and go in there—into the polling place.

Q. Into the polling place?—A. Yes, sir. They seemed—they were under the leadership of some man—I don't know who he was—a young fellow with a light overcoat. He remained on the outside talking to the police officers; he remained there while I was there.

Q. How near the polls was he?—A. Well, part—

Q. When the conversation with the police was going on?—A. Part of the time, immediately in front of the polling place, on the sidewalk, immediately in front; and then they moved up a few feet away, practically in front of the saloon there—the cigar store.

Q. Was the saloon open?—A. Well, I can't say that; I didn't notice that.

Q. When they moved up further, was it within 100 feet of the polls?—A. Oh, it was within 10 or 15 feet, if I remember right.

Q. Proceed.—A. I saw some of these fellows go across the street south and sit down on some—well, it is some heavy hardware of some kind—locomotive wheels or something there—and remain there a while and then go back.

Q. Back where?—A. To the polling place.

Q. Go inside the polling place?—A. Yes, sir. That is about all I saw there. I remained there a little while.

Q. Did you go down to the polling place and observe what they did after they went in?—A. In front of the polling place?

Q. Yes.—A. No, sir.

Q. Why not?—A. I never went any farther.

Q. Why not?—A. Well, there were three or four police officers there. My real object was to see who was going in there—whether the same parties were going in. I had received information that there was a crowd there repeating. I could observe that better from where I stood than by going out to the polling place.

Q. The police officers were standing there continuously, were they?—A. Yes, sir.

Q. And they allowed these men to go and enter the polling place a second time?—A. Those that I saw go back the second time.

Q. How many were there in this crowd that went back—those repeaters that went back the second time into the polls?—A. I only saw, I think, three. That is my recollection of that—those that went back there. Then I went back to my office, and from there I went out to the thirteenth precinct; got out there—

Q. Thirteenth precinct of what ward?—A. Twenty-third Ward.

Q. Where is that polling place?—A. Right near the corner of Spring and Manchester avenue, on the north side of Manchester avenue about 50 or 60 feet west of Spring.

Q. Yes.—A. I got out there about 4 o'clock—I guess a little after 4. I met some gentlemen there who was standing across the street, and we were standing there talking when a police officer came across the street and ordered us away from there. I told him we were not electioneering and had a right to be there. Well, he said, "The judges don't want you here. You can look into the polls—the polling place."

Q. That is from where you were standing?—A. Yes, sir; we were immediately a little across the street. I told him that, as far as that was concerned, that we had a

right to do it, and he said, "I don't want any trouble." I said, "I don't either, but I don't intend to be driven away like that." I said, "You have a lot of fellows over there now within 20 feet of the polls——"

Q. Did you see that number of people there?—A. There was three or four then, and I said, "Besides that, you have allowed that saloon to remain open," and he said, "Well, we had no instructions to close saloons; but you have to go away from here." I took his number, and then he came to me and he said, "Well, now, I don't want to have any trouble, but there are some things I have to do that I can't help." He says, "Won't you please move farther away?" I said, "All right; if you talk that way, I will go." So some of us left and went to the corner.

Q. On which side of the street were you now?—A. On the south side of Manchester avenue.

Q. The polls were on the north side?—A. Yes, sir; near the corner of Spring avenue. We stood there under an awning about—oh, we had hardly been there five or ten minutes when I saw a large number of white and colored men—first a white man came across the lot from a northwesterly direction and came down Spring avenue. There was a large white man leading them and he took them around to the polling place, and immediately after that—25 or 30 feet or so—a large number of colored men came. Some of them came right on and others stopped, and the man that seemed to be in charge of them stopped about 25 or 30 feet west of Manchester avenue and gave some of them slips. I couldn't see——

Q. Slips of paper?—A. Slips of paper.

Q. About what size?—A. From where I stood I should judge it to be a couple of inches long and about an inch wide, something like that. They were little pieces of paper. And they came on then and crowded around the polling place to the extent of about 60 or 70 of them. I remained there a little while and then I went from there——

Q. One moment. When they were about the polling place were they standing in line or were they standing around promiscuously?—A. Well, they partly stood and partly sat in line. They stood up against the polling place and then others sat down on the sidewalk—on the step.

Q. Were they kept in a more or less definite line?—A. Yes, sir.

Q. By whom?—A. I don't know who the parties were. This white man and colored man.

Q. Did the police take part in keeping them in line?—A. That I can't say. The police stood around there.

Q. Was the saloon on the northwest corner of Manchester avenue and Spring avenue open at this time?—A. Yes, sir.

Q. Did you see the people passing in and out?—A. Yes, sir.

Q. Did the police go in and out?—A. None that I saw. I didn't see a police officer go in there.

Q. Proceed.—A. I went over to the twelfth precinct then to see whether any of them would go over there, and I remained there until almost 6 o'clock, and then everything being quiet there I left.

Q. Do you have anything further to add to your testimony?—A. Nothing, except Captain Stuyvesant, who testified, was one of the parties that was with me there.

Q. He testified this morning?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. Captain, you are a law partner of Col. Geo. D. Reynolds, are you not?—A. No, sir.

Q. You are associated with him in the same suite of offices?—A. We occupy the same suite of offices; I am not associated with him in that sense of the word at all.

Q. Are you the paid attorney in this case for George C. R. Wagoner?—A. Well, I am attorney. So far as the "paid" part of it is concerned, I am not in a position to testify.

Q. You are in the case—you have gone into it on the presumption that you are going to be paid?—A. Not only a presumption, a very definite expectation.

Q. That you will be paid for your services?—A. As attorney; yes, sir.

Q. You are devoting a great deal of your time to the taking of these depositions?—A. Yes, sir.

Q. As to these slips that you saw, what was on any one of those slips, did you see?—A. No, sir; I wasn't near enough.

Q. You don't know what was on any of those slips that you say you saw distributed?—A. No, sir.

Q. Did you see any of those parties that you state you saw vote?—A. Well—see them vote?

Q. Yes.—A. No, sir.

Q. Do you know that anyone of them voted?—A. I do not.

Q. Do you know whether anyone of them attempted to vote more than once?—A. I just told you I didn't know whether any of them had voted.

Q. Did you have any understanding with Mr. Wagoner prior to the election with reference to pursuing a contest if he was not elected?—A. I don't think I spoke three words to Mr. Wagoner prior to the election, and that only was meeting once, and then I simply said "How do you do? I wish you luck." That is all.

Q. Did you have any conversation with anyone else for Mr. Wagoner in that connection?—A. Prior to election?

Q. Yes?—A. No, sir.

Q. Or in connection with Geo. D. Reynolds?—A. No, sir.

Q. Did you speak to Col. Geo. D. Reynolds in connection with contesting the election prior to the election?—A. Why, you assume from that that there would be a contest. We didn't think there would. We thought it would not be necessary.

Q. Did you accompany Colonel Reynolds on his canvass prior to the election?—A. No, sir.

Q. Do you know whether or not he made this statement: "If, however, I am defeated on the face of the returns by fraud or by force, if I am deprived of the seat, if the will of the people as expressed is defeated by the work of election crooks, I want to say here publicly that so far as I am concerned I will make no contest for the seat, and I will not ask my friends to contribute a dollar for the contest?"—A. I just told you I didn't accompany him on any of his canvass.

Q. Did you hear him make that statement?—A. I just told you I didn't, and don't know that it was ever made.

Q. Do you know whether he made such a statement?—A. I have answered that, sir.

Q. That is your answer?—A. Yes, sir.

Q. Are you familiar with the political conditions which existed in the Republican party prior to the election of November 4, 1902?—A. For how long prior?

Q. Three months?—A. Well, only by hearsay.

Q. You are an active Republican worker, are you not?—A. Not now.

Q. You have been continuously, haven't you, for some years?—A. Well, I took an active interest—yes; up to a year ago.

Q. Up to a year ago?—A. Yes, sir.

Q. Do you know of a convention which was held at Chatsworth Hall on the 4th day of October, 1902, by the Republicans of the Twelfth Congressional district?—A. Not to my knowledge.

Q. Do you know of it from newspaper reports?—A. Yes, sir.

Q. Do you know that at that convention that it was the effort of the delegates who appeared there to secure the nomination of the Hon. Cyrus P. Walbridge?—A. I do not.

Q. Do you know from newspaper reports that that was the fact?—A. No; I don't know that from newspaper reports. I didn't know anything of that until you brought it out in this hearing. I don't live in that district, you understand, and didn't pay very much attention to it.

Q. You knew of the effort that was being made to secure the nomination in the Twelfth Congressional district, did you not?—A. No, sir; I don't know that Mr. Reynolds made one single effort.

Q. Do you know whether or not Colonel Reynolds was nominated by any convention anywhere prior to the 4th day of November, 1902?—A. Not to my knowledge.

Q. For Congress?—A. No, sir.

Q. Do you know that from newspaper reports?—A. Simply as a matter of newspaper information.

Q. But it was generally noised around, general conversation, wasn't it?—A. Well, I don't know. What do you mean by "general?"

Q. Among the Republicans with whom you came in contact?—A. I didn't hear it.

Q. Didn't Colonel Reynolds tell you that he had been nominated by that convention?—A. I don't think he did. I don't remember of his ever telling me.

Q. Do you know the St. Louis Republican Club?—A. You mean whether I am acquainted with the members?

Q. Are you acquainted with such club; do you know of its existence?—A. Yes, sir.

Q. Do you know of the existence of the Merchants' League Club?—A. Yes, sir.

Q. Do you know of the existence of the Good Government Club?—A. Only by newspaper information.

Q. And you know that they represent three separate and distinct factions in the Republican party?—A. No, sir; I do not.

Q. Don't you know that the members of the St. Louis Republican Club—that its membership is made up almost of an entirely different body of men and those who compose the membership of the Merchants' League or Good Government Club?—A. I don't know anything about the Good Government Club.

Q. You know it exists?—A. Well, I don't know anything about it.

Q. You know the Good Government Club exists?—A. No, sir; I don't know that now. I don't know whether they are in existence or not.

Q. You know the Merchants' League Club exists?—A. I don't know that now. I haven't been there for a long, long while.

Q. Do you know whether Geo. C. R. Wagoner was nominated, at all?—A. No.

Q. Do you know that he was nominated?—A. I don't know.

Q. Do you know Capt. E. H. Loffhagen?—A. Yes, sir.

Q. Do you know whether or not he was a candidate for Congress on the Republican ticket or by a Republican convention prior to the 4th day of November, 1902?—A. I don't know to my knowledge.

Q. Do you know it from newspaper talk or general information?—A. I saw something in the newspapers to that effect—that is, he was a candidate for the nomination, that is all I know.

Q. Don't you know that he was nominated for the long term from the Twelfth Congressional district by the Republican convention?—A. All I know about that is what I saw in the newspapers.

Q. Do you know Theodore Kalbfell?—A. Yes, sir.

Q. Do you know whether or not he was a party to a suit which was filed in the supreme court of this State asking for a restraining order against John M. Wood, the election commissioners, and a number of other Republican party officers?—A. I do not.

Q. Do you know that from newspapers or other information?—A. I have no recollection of it; never knew that until you brought it out in this examination.

Q. Don't you know that an application was made by Theodore Kalbfell and others to Judge Waltour M. Robinson for a restraining order to prevent the minority of the Republican city central committee from ousting the majority of the city central committee and assuming control of the city central Republican committee?

(Objected to as irrelevant and immaterial to any issue involved in this case, and as being injected into this case for the purpose of killing time and filling the record.)

A. No; I don't.

Q. Have you any information, either from the newspapers or from your Republican associates, of that fact?

(Objection renewed.)

Q. You remember that?—A. I heard it repeatedly in this examination, that is all I know about it.

Q. You knew nothing of it prior to the 4th of November, 1902?—A. If I knew anything about it, it passed from my memory entirely. I paid no attention to those matters in that campaign.

Q. Do you know under what circumstances Geo. C. R. Wagoner was placed on the Republican ticket?—A. I have already told you I knew nothing about that.

Q. Do you know whether or not there was any call issued in the Twelfth Congressional district for a convention of delegates?

(Objection renewed.)

Q. A convention to nominate Congressional candidates from the Twelfth Congressional district in the Republican party?—A. I do not.

Q. Did you ever see such call or hear of it in any way?—A. Mr. Walsh, if you are an attorney at law, you want to know that when another lawyer answers a question that he does not know a thing, that it does not do you a particle of good to take up the time of this court in asking the same question in a different way.

MR. WALSH. Well, we object to the witness arguing in this manner.

Q. I am simply asking you to state the facts. For the purpose of this examination, you are simply a witness on the stand.

THE WITNESS. Yes; but I am not a fool.

MR. WALSH. I have not alleged any such condition of affairs. Do you know of your own knowledge, Captain, whether or not any individual cast a fraudulent or illegal ballot on the 4th day of November, 1902?—A. I do not.

Q. You were never present at any of the committee meetings that were held in the Twelfth Congressional district by the Republican party?

(Objection renewed.)

A. I don't live in the Twelfth Congressional district, and I informed you that I had taken no interest in politics for more than a year.

Q. That is in answer to the question I have just asked?—A. That is my answer.

Q. That you didn't attend any of these meetings?

Mr. WALSH. Just note that the witness refuses to answer.

The WITNESS. Oh, no; I don't refuse to answer.

Mr. WALSH. Well, I want to assure you that in placing yourself on the stand you occupy exactly the same position as any other witness, as far as I am concerned, and I expect from you exactly the same courtesy that I demand from any other witness.

Mr. RICHEY. We object to this statement of counsel as irrelevant and immaterial and as ridiculous, calculated to kill time and fill up the record.

Mr. WALSH. We object to the objection of the counsel for the contestant as having no other object than of encumbering the record and filling it with frivolous objections which have no standing in fact. That is all.

The WITNESS. I want to state in answer to your statement that I have practiced law twenty-odd years, and there is at least a legal presumption that I know what position I occupy when I am a witness.

Mr. WALSH. We will assume that you know what the legal presumption is. That is all.

By Mr. RICHEY:

Q. Any friction that existed in the Republican party in the city of St. Louis grew out of the rivalry of different candidates for the Congressional nomination, did it not?—A. Well, I don't know anything about that. As I say, I have taken no active interest in politics for more than a year; not living in the Twelfth Congressional district, I simply noticed what was published in the papers, and paid no further attention to it.

Q. Did you notice any dissensions in the Republican party with reference to the elections of George C. R. Wagoner to Congress or George D. Reynolds for Congress?—A. After the nomination?

Q. After the nomination.—A. I heard of no friction.

Q. You heard of no friction?—A. No, sir.

Not being able to complete the taking of said depositions this day by reason of absence of witnesses, I hereby adjourn the further hearing until Monday morning, December 29, at 10 o'clock.

Parties met pursuant to adjournment as above stated on this 2d day of January, 1903, and at the hour of 10.20 a. m. I continued the taking of said depositions as follows:

Miss EMMA ALLEN, of lawful age, being produced, sworn, and examined on the part of contestant, deposeeth and saith:

Direct examination by Mr. RICHEY:

Q. You live at 2140 Eugenia street?—A. Yes, sir.

Q. Fifth precinct of the Fourteenth Ward? How long have you lived there?—A. Since October 20.

Q. Of the present year?—A. Yes, sir.

Q. Were you living there on Tuesday, November 4, election day?—A. Yes, sir.

Q. Did George F. Davidson live there on that day?—A. No, sir.

Q. Did Samuel N. Mudd live there on that day?—A. No, sir.

Q. Did E. W. Fisher live there on that day?—A. No, sir.

Q. Did Alfred B. Martin live there on that day?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. When did you move into 2140 Eugenia street?—A. October 20.

Q. October 20?—A. Yes, sir.

Q. Do you occupy the whole house?—A. Yes, sir.

Q. How large a house is it?—A. It is a ten-room house.

Q. Do you know who lived there before you moved in?—A. I know the man who kept the house; Hendricks.

Q. How?—A. Hendricks was the name.

Q. Hendricks kept the house?—A. Yes, sir.

Q. How long was it vacant?—A. It wasn't vacant. They were packing up to move when we took the house.

Q. You say he was packing up to move when you took it?—A. On the day he left.

Q. The very day he moved from there you moved in?—A. Yes, sir. He boarded with us. He never left.

Q. He never left?—A. No, sir.

Q. You don't know who lived there at the house during the time he owned or occupied the house?—A. No, sir.

Q. That was on the 20th of October?—A. Yes, sir.

Q. You don't know whether any of these parties lived there before October 20 or not?—A. No, sir; I don't know.

By Mr. RICHEY:

Q. But you do know that none of these parties lived there since October 20, 1902?—

A. Yes, sir.

JAMES STEWART, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeeth and saith:

Direct examination by Mr. RICHEY:

Q. What is your age?—A. I am 68 past.

Q. Where do you live?—A. 2604 Locust.

Mr. ROWE. I desire to have an objection noted at this point to the testimony of this witness. The notice under which the deposition of this witness is being taken, and under which the deposition of the last witness was taken provides that the depositions are to be taken before James D. Halter, notary, and the notary attending here is not James D. Halter, but Mr. Sanders.

Q. (By Mr. RICHEY.) What is your business?—A. I am janitor there at Mr. Mudds.

Q. At 2602 Locust?—A. Yes, sir.

Q. What sort of a building is that?—A. Doctors' building. Dr. Mudd occupies the lower floor and the second floor is occupied by dentists.

Q. By dentists?—A. Dentists and doctors together.

Q. How long have you been the janitor there?—A. I have been there four years there, sir.

Q. Were you janitor there Tuesday, November 4?—A. Yes, sir.

Q. And during the month of October preceding?—A. Yes, sir; right along.

Q. Up to the present time?—A. Yes, sir.

Q. Did R. W. Ferguson live there in the month of October?—A. Yes, sir.

Q. On November 4?—A. Yes, sir.

Q. Of the present year?—A. Yes, sir.

Q. Was there more than one R. W. Ferguson living there at that time?—A. No, sir.

Q. Was Hugh G. Ferguson living there at that time?—A. Yes, sir.

Q. Did W. H. Cassels live there at that time?—A. Yes, sir. They don't live there; they are dentists there and have rooms. I don't know whereabouts they live.

Q. They live somewhere else in the city, and this is simply their office?—A. This is simply their office.

Q. Did Ferguson live or have an office there?—A. He had no rooms there.

Q. Did G. W. Applegate have a room or live there permanently?—A. No, sir; they don't live there; just have offices there; they are dentists.

Q. Didn't live there in October or on Tuesday, November 4?—A. They didn't live there at all; only stayed there at the office in the day time.

Q. Did G. Oldfield live there at that time?—A. Offield?

Q. Oldfield.—A. Well, yes; he was there; he is not there now—he is dead.

Q. When did he die?—A. Died about a month ago, I think.

Q. A month ago?—A. Yes, sir.

Q. Did he die at that number?—A. No, sir; he went home to Sedalia.

Q. When he lived there did he have a room there?—A. Yes, sir.

Q. Living rooms—sleeping rooms?—A. Sleeping rooms.

Q. C. Norton?—A. Norton? He did live there.

Q. When?—A. Roomed there.

Q. When?—A. Up until this spring. This spring he got married and went to Alton.

Q. In the spring of the year 1902?—A. Yes, sir.

Q. But he didn't live there in October?—A. No, sir.

Q. Or November of 1902?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Of all those names that were read off those parties either actually slept there, lived there, or had offices there?—A. They slept there, sir; with the exception of them doctors—with the exception of the two doctors.

Q. They didn't sleep there at all?—A. No, sir.

By Mr. RICHY:

Q. That is, you mean they had offices there and lived elsewhere?—A. Yes, sir.

Q. You don't even know where they lived in the city?—A. Yes; they lived in the city. I can't say whereabouts.

Q. But they didn't live there?—A. No, sir.

FREDERICK DRACH, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. What is your name?—A. Frederick Drach.

Q. How old are you?—A. Thirty-seven.

Q. What is your business?—A. I am day clerk at the South House, 221 South Broadway.

Q. That is a rooming house—lodging house?—A. Yes, sir.

Q. That is in the fourth precinct of the Fifth Ward, or do you know?—A. I don't know where it is.

Q. Are you married or single?—A. I am married.

Q. Your family live there with you?—A. No, sir; I live at 1316 Biddle street.

Q. How long have you been clerking at 221 South Broadway?—A. I have been there about six—

Q. At the South House?—A. About six months.

Q. How many stories are there in that house?—A. There is four stories.

Q. How is the first story or floor occupied?—A. The first floor is a saloon and some kind of a storeroom.

Q. A storeroom?—A. Yes, sir.

Q. And the South House occupies the three floors—A. Above that; yes, sir.

Q. Were you clerk there on election day?—A. Yes, sir.

Q. Last year—Tuesday, November 4, 1902?—A. Yes, sir.

Q. You were clerk there during the month of October prior to the election day?—A. Yes, sir.

Q. Are you acquainted with the people who stay at that hotel as a whole, at the lodging house?—A. I am pretty well acquainted with the regulars.

Q. With the regulars?—A. Yes, sir.

Q. What do you call those people who stay there who are not regulars?—A. There is—of course there isn't very many. Some of the regulars left since election day and some left before.

Q. Some left before?—A. Before.

Q. Do you call the others transients?—A. Yes, sir.

Q. What are the terms for stopping at that hotel?—A. How?

Q. What are the charges?—A. Ten, 20, and 25 cents.

Q. Night?—A. Yes, sir.

Q. Did Henry G. Eiler live there at 221 South Broadway on Tuesday, November 4, election day last?—A. Not to my knowledge.

Q. You would know if he lived there, wouldn't you?—A. Yes, sir.

Q. He didn't live there?—A. No, sir; not to my knowledge.

Q. Did William T. Ferguson live there at that time?—A. Not to my knowledge, either.

Q. Well, you would know if he lived there, wouldn't you?—A. Probably I would. I don't know that—

Q. Did he live there?—A. I don't think he did live there at the time.

Q. You know these people? Did James Farrell live there?—A. No, sir; he didn't live there.

Q. Did James R. Foley live there?—A. No, sir; he wasn't there on election day.

Q. Did John A. Fendley live there election day?—A. I am not quite certain. I don't think he did.

Q. Did Thomas Flynn live there at the time?—A. No, sir.

Q. Did Fred Green live there at the time?—A. No, sir; I don't know that party at all.

Q. Did John Cassett live there on election day?—A. No, sir.

Q. Charles Anderson?—A. There was a George P. Anderson there.

Q. Was there a Charles Anderson?—A. No, sir; not to my knowledge.

Q. Did Abe Hakawason live there?—A. No, sir; I don't know the party.

Q. On that day?—A. No, sir; I don't know that party.

Q. Did Thomas F. Healy live there that day?—A. No, sir.

Q. Did William A. Hicks live there last election day?—A. There is a man there named Hicks; I don't know his initials, though.

Q. Did George Hill live there election day?—A. No, sir.

Q. Did Ernst Hempel live there at that time?—A. Not to my knowledge.

Q. You would know, wouldn't you?—A. I know; yes.

Q. Did he live there?—A. No, sir; not to my recollection; not during election.

Q. Did John D. Hodnett live there last election day?—A. No, sir; I don't know that party.

Q. Did he live there?—A. No, sir; I don't know a man there by that name.

Q. William A. Hessey—did he live there on election day?—A. No, sir.

Q. Did Frank Hayden live there on election day?—A. Hagan?

Q. Hayden?—A. No, sir.

Q. Did George C. Anderson live there?—A. No, sir; he wasn't there election day.

Q. Where was he, if you know?—A. I couldn't say where he was. He was there all summer and left shortly before election day.

Q. Did Frank W. Jones live there election day?—A. No, sir.

Q. Did Charles H. Jones live there election day?—A. No, sir.

Q. Did Gus Jones live there at that time?—A. No, sir.

Q. Or John W. Craft, did he live there at that time?—A. Craft? No, sir.

Q. Did John A. Kamtohl live there at that time?—A. No, sir.

Q. Did Frank Kwis live there at that time?—A. No, sir; I think that is a party that was at the Silver House, Frank Kwis.

Q. He didn't live at your place?—A. No, sir.

Q. On last election day?—A. No, sir.

Q. Did James Killiam live there at that time?—A. No, sir.

Q. Did Thomas Lynch live there at that time?—A. No, sir.

Q. Did Henry A. Mentges live there at that time?—A. No, sir.

Q. Did John J. Wagner live there at that time?—A. No, sir.

Q. Did William M. Miller live there at that time?—A. No, sir.

Q. Did Thomas Martin live there at that time?—A. No, sir.

Q. Did Ralphin May live there on election day?—A. No, sir.

Q. Did Peter Nolan live there on that day?—A. No, sir.

Q. Did John Ogburg live there on that day?—A. No, sir.

Q. Did John L. O'Toole live there on that day?—A. No, sir.

Q. Did William Quigley live there on that day?—A. No, sir.

Q. Did Charles Roeder live there on that day?—A. No, sir.

Q. Did Hugo Landerbeck live there on that day?—A. I am not certain whether he was there election day. He was there off and on.

Q. Was he a permanent?—A. He was there all last summer, but I don't know whether he was there election day or not.

Q. Did Cable Stone live there on election day?—A. No, sir.

Q. Did A. D. Stewart live there on last election day?—A. No, sir.

Q. Did Abe Williams live there on last election day?—A. No, sir.

Q. Did Harry Mills live there on last election day?—A. No, sir.

Q. Did Thomas A. Woods live there last election day?—A. No, sir.

Q. Did Robert Warner live there on last election day?—A. No, sir.

Q. Did John Woods live there on last election day?—A. No, sir.

Q. Did Elliot Woods live there on last election day?—A. No, sir. I believe he left soon before the election.

Q. Did Charles H. Wilson live there on last election day?—A. No, sir.

Q. Did Dennis Thompson live there on last election day?—A. No, sir.

Q. Did Albert A. Toy live there at that time?—A. No, sir.

Q. Did Edward Sprondley live there on last election day?—A. No, sir. I don't know that party to my knowledge.

Q. Did Phillip Sullivan live there at that time?—A. Yes, sir.

Q. Did Henry B. F. Atwood live there at that time?—A. No, sir.

Q. Did Jacob Ansered live there at that time?—A. No, sir.

Q. Did George Appleman live there at that time?—A. No, sir.

Q. Did Frank P. Browder live there at that time?—A. No, sir.

Q. Did Dan J. Bagely live there at that time?—A. No, sir; not to my knowledge.

Q. Did William A. Barry live there on election day?—A. No, sir.

Q. Did Otto Burger live there election day?—A. No, sir.

Q. Did Clifford Bewett live there at that time?—A. No, sir.

Q. Did Peter F. S. Doran live there at that time?—A. No, sir; I don't know that party to my knowledge.

Q. Did Thomas Daniel live there at that time?—A. No, sir.

Q. Did Sam E. Staen live there at that time?—A. No, sir.

Q. Now, none of these 60 or more men that you have said did not live there were residing at your house, 221 South Broadway, on Tuesday, November 4 last, were

they?—A. Most of them did not to my knowledge. Some left before and some left afterwards.

Q. Some left afterwards?—A. I don't know just exactly the date.

Q. Some of those that you said—you said none of those lived there—that is, about 60 of these?—A. Yes; they were not there on election day.

Q. And the others I asked you about that you said were there, they have left since, some of them?—A. Some of them; yes, sir.

Q. That is what you mean?—A. Yes, sir.

Cross-examination by Mr. ROWE:

Q. Who did live in the house there?—A. How?

Q. Give the names of all the boarders that were there election day.—A. The names of all the regulars?

Q. What? Yes; the regulars or irregulars that were boarding at your house or rooming at your house on election day.—A. Now, if I had—that is pretty hard to do, unless I have the list in my book.

Q. You don't pretend to know the names of all the men that were boarding there at the house, do you, on election day?—A. No, sir; I don't think I do.

Q. How many people would you accommodate there of a night?—A. Well, about 170.

Q. One hundred and seventy?—A. Yes, sir.

Q. Well, how many regular roomers do you have there? Regular frequenters?—A. Well, there are about 70 to 75.

Q. Seventy to 75?—A. Yes, sir.

Q. That many regulars there?—A. Yes, sir.

Q. You don't pretend to be able to give the names right now of the whole 75 regular roomers and frequenters of the house?—A. No, sir.

Q. Now, that house will accommodate, you say, about how many?—A. About 170.

Q. About 170?—A. Yes, sir.

Q. How many rooms are in the house there that are used for sleeping rooms?—A. Well, there is about 65 rooms. I mean stalls.

Q. About 65 stalls?—A. Yes, sir.

Q. And how many persons will each stall accommodate?—A. Well——

Q. About? According to the manner in which that house is run?—A. Well, they are just single beds in the stalls. Then we have 102 cots.

Q. A great many lodging houses in that neighborhood and that locality are run on the same plan, ain't they?—A. Just about.

THOMAS LYNCH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHY:

Q. Your name is Thomas Lynch?—A. Yes, sir.

Q. You live at 410 North Seventh street?—A. Yes, sir.

Q. That is the third precinct of the Fourth Ward. What is your business?—A. Hotel porter.

Q. You are day clerk, aren't you?—A. Well, some call it day clerk, but it is really porter work I do.

Q. Didn't you say just now that you were day clerk?—A. Well, you can call it that if you like, sir.

Q. Didn't you call it that? Didn't you tell me you were day clerk there—in the other room, I mean?—A. Yes; I said day clerk. It is just the same thing; amounts to the same thing.

Q. How long have you been day clerk there?—A. About six months.

Q. Were you there on election day?—A. I was.

Q. During the month of October and prior to that?—A. Yes, sir.

Q. Do you know the people who live in the house?—A. No, sir.

Q. Don't know any of them?—A. I know some of them. I don't know them all.

Q. Who does know them all?—A. The night clerk knows them all.

Q. What is his name?—A. J. B. Hibbard.

Q. Did William Thomas Baldwin live there at 410 North Seventh street?—A. Not to my knowledge.

Q. On Tuesday, November 4?—A. Not to my knowledge.

Q. Did John Bailey?—A. Yes, sir.

Q. Did Peter Colville?—A. No, sir.

Q. Did J. T. Collins?—A. No, sir.

Q. Did M. F. Chase?—A. Yes, sir.

- Q. M. Cult?—A. No, sir.
 Q. Pat Clark?—A. No, sir.
 Q. Martin Concannon?—A. Yes, sir.
 Q. A. Duengfelder?—A. No, sir.
 Q. John B. Dolan?—A. Yes, sir.
 Q. John F. Freese?—A. No, sir.
 Q. John Fenton?—A. No.
 Q. Frank A. Kwis?—A. Yes, sir.
 Q. Harry Lewis?—A. No, sir.
 Q. Did Emil Hoffhoff?—A. No, sir.
 Q. Abe Lamel?—A. No, sir.
 Q. Did P. McCarthy?—A. No, sir.
 Q. S. Mills?—A. No, sir.
 Q. Did P. Mephani?—A. No, sir.
 Q. Or Moffit Lewis?—A. No, sir.
 Q. James Masterson?—A. No, sir.
 Q. A. Morse?—A. No.
 Q. Dan Moberly?—A. No, sir.
 Q. M. Nichols?—A. No, sir.
 Q. Herman T. Oertling?—A. Yes, sir.
 Q. Thomas O'Reilly?—A. Yes, sir.
 Q. Did J. F. O'Brein?—A. No.
 Q. Did H. O'Brein?—A. No.
 Q. Mike O'Neil?—A. No, sir.
 Q. T. R. Potter?—A. No, sir.
 Q. Harry Paxson?—A. Yes, sir.
 Q. Louis J. Raggio?—A. No, sir.
 Q. Michael Sheehan?—A. Yes, sir.
 Q. Thomas Thies?—A. No, sir.
 Q. D. Thompson?—A. Yes, sir.
 Q. Walter C. Walker?—A. Yes, sir.
 Q. Thomas P. Newton?—A. Yes, sir.
 Q. Chas. F. Zuch?—A. No, sir.
 Q. Pat Zatorski?—A. No, sir.

Cross-examination by Mr. ROWE:

- Q. You are a porter at the hotel 410 North Seventh street, ain't you?—A. Yes, sir.
 Q. And you are there only in the daytime?—A. Yes, sir.
 Q. You don't know all the lodgers and roomers at that hotel, do you?—A. No; I know about one-third of them; that is about all.
 Q. About one-third?—A. Yes, sir.
 Q. About how many persons lodge there at that hotel nightly?—A. One hundred and fifty-four.
 Q. And about how many of them are regular lodgers?—A. I believe about 100.
 Q. One hundred of them are regular lodgers there?—A. Yes, sir.
 Q. And when you said a certain person named there didn't lodge at that hotel you simply meant to say that you didn't know, ain't that all?—A. Yes, sir; it would be quite possible for them to be there and I not know them.
 Q. You wouldn't know them?—A. No, sir.
 Q. You being there in the daytime and the lodgers of the hotel not being frequenters of it during the day?—A. Yes, sir.
 Q. You would not be familiar with all of them, or the names of all of them, would you?—A. That is what I wouldn't say, sir.
 Q. You think out of the 154 that lodge there nightly about 100 of them are regulars?—A. Yes, sir.
 Q. Whenever they have the price of a lodging they come there and lodge?—A. Well, no—or they stand us off a great deal.

By Mr. RICHEV:

- Q. What is the price there—10, 15, and 20 cents a night?—A. Yes, sir.
 Q. How do they pay mostly?—A. Some pay by the night, some by the week, and some by the month.
 Q. What hours are you on—what time do you go on duty?—A. Five o'clock in the morning.
 Q. Five o'clock in the morning. When do you get off?—A. Five in the afternoon.

WM. S. STUYVESANT, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. Richey

Q. Where do you live?—A. No. 5453 Maple avenue.

Q. What is your age, Mr. Stuyvesant?—A. Fifty-five.

Q. You are a man of family?—A. Yes, sir.

Q. Engaged in business in St. Louis?—A. No; I retired from business in 1886.

Q. How long have you lived in St. Louis?—A. I came here in 1870; I lived here until 1886, then went east for six or eight years, and came back here again; been living here since.

Q. Were you in this city on Tuesday, November 4, 1902?—A. Yes, sir.

Q. Did you visit any of the election precincts, or voting places on that day?—A. I went to my precinct and voted, then I went down to the precinct on Manchester avenue near Spring.

Q. Where was the polling place, No. 3507 Manchester road?—A. I don't know the number; it was Manchester road; west of Spring avenue, north side.

Q. North side of Manchester road?—A. Yes, sir.

Q. And two or three doors west of Spring?—A. Second door from the corner; there is a saloon and boarding house at the corner; this is a small building.

Q. About how far is it from the polling place to the saloon?—A. The saloon building is right next door to the polling place. There was a boarding house between the saloon proper and the polling place.

Q. How much of the time did you spend election day about that precinct and about the polling place in that precinct?—A. I was there about between three and four hours.

Q. How did you happen to go to that precinct?—A. Well, there was several men talking about elections; wanted fair elections, and we thought we would see just what was going on at that precinct, which was one of the ones talked about a great deal.

Q. Talked about in what connection?—A. In connection with fraudulent voting.

Q. You went out there to see how the trick was being turned?—A. Yes, sir; I wanted to see the difference between the way they voted there and the way they voted at the place at which I voted.

Q. Where were the polls you voted at?—A. In the Cabanne Arcade.

Q. Well, tell us what you saw.—A. Well, at my own polling place there was 15 or 16 ahead of me and I had to wait nearly a half an hour for a chance to get in; we have four booths there to use, and when I got through I left, and I went down to these other polls.

Q. That is, to the thirteenth precinct of the Twenty-third Ward?—A. Yes, sir; and I saw one set of voting done by a lot of negroes who came there from buildings on Spring avenue; probably 15 or 20 of them. They were marshaled by a big negro; he was working backwards and forwards in and out of the side alleys and those buildings; they were poking their heads in, you know, getting ready to do something, manifestly. When they got ready they formed a procession down from these buildings, 2 or 3 feet apart, and came along in a hang-dog sort of way, not like men that were going to vote honestly, or as though they had ever seen each other or knew each other in any way, and went by us, who were standing on the corner, and went in the polls. They were in and about; might have possibly had time to tear off a ballot and put it in the box, but that is about all they did have time to do; there was no such delay there for this set of men as I experienced at my polls. That struck me as being a little bit uncommon.

Q. Did you see them vote, or did you see them merely pass into the polling place in line?—A. Merely saw them pass into the polling place.

Q. Did you try to get near enough the polls to see them vote?—A. No; I knew it was no use; I knew what the law was in the case; knew the policemen wouldn't allow us.

Q. Did the policemen while you were there say anything on the subject?—A. He removed us twice; we were once standing on the sidewalk at the corner.

Q. About how many feet from the polls?—A. Probably 50 odd feet from the entrance to the polls; moved us off farther; said the judges wouldn't allow us to stand there. Later on we went inside the saloon and stood in the vestibule of the saloon for awhile.

Q. Under an awning?—A. No; right in the saloon proper.

Q. Well?—A. There were some men standing on the corner, and I asked the policeman why he didn't move those men away, and he said they lived in the boarding house. I thought if they could stand there, living in the boarding house, that we could stand in the saloon, and we went in there.

Q. They stood on the sidewalk?—A. They stood on the sidewalk out in front of the saloon, about 50 or more feet from the polling place, without interruption.

Q. Without interruption?—A. Yes, sir.

Q. You were moved away?—A. Yes, sir; we were ordered to go 100 feet from the polls; we went across the street later in the day and took a position directly opposite the polling place. We were not there a great while before the policeman came over and said he had been ordered by the judges to remove us farther. The judges didn't want us standing opposite the polling place. The only inference I could draw was that the judges didn't want us to see what was going on in the polls.

Q. Now, at the time this objection was made you were directly across the street from where the polling was being done?—A. Directly across the street; we were ordered away; we left there then and went to the corner, diagonally, opposite from our first position.

Q. Yes?—A. Under a wooden shed there.

Q. How far away from the polling place was that? About?—A. I could get it, probably; possibly a hundred feet.

Q. You were on the south side of Manchester avenue at this last point you speak of?—A. On the southeast corner of Manchester avenue and Spring avenue, where this wooden awning was.

Q. So that you were a distance away from the polling place of the two streets, Manchester avenue and Spring avenue, and about 50 feet farther away than that—that is to say, the polling place was about 50 feet west of the western line of Spring avenue, and you were on the east line of Spring avenue, and you were on the south line of Manchester avenue?—A. Yes, sir; we were diagonally opposite.

Q. You say "we." Whom do you mean by "we?" Who were "we?" How many?—A. There were varying numbers, from two to five, in the day. After we had been forced from those three positions, we saw the voting begin in a most exceedingly lively way. Negroes came along Manchester avenue from the west, and from Spring avenue on the north, and piled into the place in a very quick way.

Q. Now, did you see any of them in the line before the polling place—entering the polling place more than once?—A. Not that I know of.

Q. Is that the precinct that No. 3865 Forest Park boulevard, known as Butler's stable, is located in?—A. I don't know whether the Butler stable, as you call it, was in that precinct or not. The Excelsior Hauling Company stables are up there near the corner of Forest Park boulevard and Vandeventer avenue.

Q. What is the name of those stables? What are they known as?—A. They are called Butler's stables generally; Butler's garbage wagons are kept on the lot around there; the wagons, horses, and men are supposed to—the wagons and horses are supposed to be there.

Q. State anything else you saw there that day that you haven't related, if anything. How long, for example, was the saloon open?—A. The saloons both were open all day long. I spoke to one of the policemen about this; they said they had no orders from the police headquarters to close those saloons. I didn't understand why it was necessary because the statutes of the State of Missouri require that all saloons shall be closed on election day under penalty of a fine and forfeiture of license. I couldn't understand why. I didn't understand what our Nesbit law, mayor, and our Mr. Harry Hawes and other members of the police board were doing to allow those saloons to be open, unless they wanted the bar-room interest in connection with the Nesbit law police force to govern a fraudulent election.

Q. Where was the other saloon? You have mentioned one adjoining the polling place. Where was the other one with reference to the polling place?—A. Directly opposite; on the southwest corner of Spring and Manchester.

Q. That is across the street?—A. Yes, sir.

Q. Was that saloon open during the day?—A. Yes, sir.

Q. Did the policemen go into either one of those saloons while you were there?—A. No; I thought our mayor and police commissioners had taken an oath to enforce the laws. I couldn't understand why they should practically perjure themselves by allowing saloons open in such flagrant violation of the laws regarding saloons being open all over the city.

Q. Do you know the name of the police officer who told you that they had no instructions to close saloons on election day?—A. I don't know his name. I would know him if I were to see him again.

Q. Do you know his number?—A. Don't know his number. I had a little incident myself that will illustrate the animus of those negroes down there; a little occurrence: The negroes had seen us men standing around the polls. I had walked around the blocks and took in the precinct, at which we were standing, and the Butler stables. I was coming east on Manchester avenue from Vandeventer when I saw four negroes coming down the slope from the garbage stables on a walk and five negroes on a trot

shortly behind them. I stopped and looked at them a moment, and the five that were on a trot immediately turned back and went back on the tracks. These other four came on. I walked east on Manchester avenue and stopped in a door of a tin shop. I didn't fancy the idea of those four negroes being behind me. They went on by and then they stopped; I started to walk again. As I approached them they opened up, two on either side of the walk. As I went by one of them said to me, "Stop here; I have something to say to you," and made a grab at me. "G—d— you," he says. The one on the other side made a grab for me and—well, as Mr. Udell said the other day, I quickened my pace; they took after me; we ran some distance that way; I saw they were not gaining and I stopped and gave them a cursing. They took after me again; one of them kept up running; one put his hand back in his hip pocket as though he had a whisky bottle or a revolver or something in there; I went on down towards the polls. I saw the policeman there and told him about it; saw the sergeant there. Well, the point to that, if there is any point at all, is that those darkies showed an animus against me, apparently, because I had been standing around the polls; no other reason why they should have cursed me and endeavor to man haul me. And I would like to state here that I am not a member of any political party—political organization, rather. I voted at this last election for five Democrats, six Republicans, and two of the allied party. My grievance against the St. Louis elections has been that they cost too much in taxes.

Cross-examination by Mr. Rowe:

Q. Well, your ticket was a sort of mixed pickle, was it, then?—A. Wasn't a mixed pickle at all; it was a scratched ticket.

Q. Well, your experience has taught you that if you vote a ticket of that kind that it takes longer to prepare that ticket than it does if a party just simply goes in and votes the straight Democratic, or straight Republican, or straight Allied Party, or any other straight ticket?—A. Didn't take me very long; I knew just what I wanted to vote, and how I wanted to vote. I had my memorandum there, and I scratched them off in just about as quick time as the ordinary negro could go into the election booths and cast his ballot.

Q. I didn't ask you to make any comparison at all, did I? Will you answer the question?—A. Ask your question again.

Q. Did I ask you to make any comparison?—A. I don't know whether you did or not. Now, if you tell me what your question was, I can tell you whether I was asked for a comparison or not.

Q. I asked the question if it takes longer to prepare a scratched ticket than it does a straight ticket?—A. Well, it depends on who is voting the scratched ticket and who is voting the straight ticket.

Q. Does it take any one single man longer to take a straight ticket and vote it than to prepare a scratched ticket and vote it? Will you answer that?—A. I don't understand what you are driving at.

Q. Can you answer the question?—A. What is the question?

Q. I have given it to you once.

The NOTARY. Read the question, Mr. Stenographer.

(Question read.)

A. I don't know how long it would take any one man. You ask me how long it would take me, if you want to know.

Q. Well, can you answer the question?—A. I am not speaking for anyone else.

Q. You can't answer it, then?—A. I can answer any question that pertains to the case; I am not here to conceal anything, or hide anything, or to warp anything.

Q. You said in your direct examination that you thought the mayor of the city of St. Louis and Mr. Hawes had subscribed an oath to enforce the laws, and discharge their duties properly as officers, didn't you?—A. Yes, I believe so.

Q. Do you know that you took an oath to tell the truth here?—A. Unquestionably.

Q. You know that very well.—A. Unquestionably; I propose to tell the truth in all ways.

Q. You say that there is a law prohibiting the keeping of saloons open on election day, do you?—A. There is a Missouri State law prohibiting the keeping of saloons open on a general election day.

Q. You know that? You are familiar with that law?—A. I am familiar with it to the extent that I have read it; I am not a lawyer.

Q. Don't you know that the fact is that the law prohibits the keeping open of saloons on general election days, when the head of the municipality issues a proclamation to the effect that they are to be closed, and only then?—A. There is nothing to that effect in the law.

Q. Isn't there?—A. No, there is not.

Q. And you are familiar with the law. Have you read it recently?—A. I read it within twenty-four hours.

Q. Now, without giving your inferences, or your conclusions, or your opinions, but simply stating the facts and the truth as you know it, do you know of any single fraudulent vote that was cast at this election precinct on Manchester road near Spring avenue on last election day?—A. I do not. I want to qualify my answer to your question before the last, as to my knowing the law. I am not a lawyer; I only know that I refer to what was called in the statute books law 3011, and that is the law upon which I base the statement I have made about the liquor law.

Q. Section 3011?—A. Section 3011 of the statutes of the State of Missouri.

Q. Of 1889?—A. I'm blest if I know that; I went to two lawyer's offices to inform myself on the matter, and they both showed me those books of theirs; the presumption is they were the latest books; they had them there for their own reference.

Q. Now, you reside where, do you say?—A. No. 5455 Maple avenue.

Q. How far is that from Spring and Manchester?—A. Well, what kind of an answer do you want to that—miles, minutes, or what?

Q. Well, you understand the plain, usual, ordinary Anglo-Saxon language, don't you? If I ask you how far it is from here to that building across the street, in what way would you designate or indicate it? I want you to indicate the distance.—A. I suppose you want me to say how many feet; give a guess at it?

Q. Yes.—A. Do you want me to give a guess at the distance from my house to this precinct?

Q. If you know, I would rather have you tell; if you know.—A. I don't know; I can guess.

Q. Well, what is your estimate, then? What is the distance from your house?—A. Call it—let's see; Spring avenue is 3800—I should say it might be about a mile and a half.

Q. What time in the morning was it that you started over to Spring avenue and Manchester?—A. About—I think it was about half past 11.

Q. Then you reached there about what time?—A. Probably 12 or quarter past.

Q. How long did you remain there?—A. Remained there about ten minutes at that time.

Q. Where did you go to then?—A. Went down town.

Q. When did you return?—A. I think I came back to this polling place about quarter or half past 1; I am not sure, exactly.

Q. Oh, I don't care about it exactly.—A. I didn't keep the time.

Q. How long did you remain, then, in the neighborhood?—A. Until between—until after 4 o'clock, I know; I don't think I stayed very long after 4.

Q. You spoke about these negroes endeavoring to assault you. Was there any white men around there at the time other than yourself?—A. There was a white man standing in the doorway in, I think, it must be Donk Bros. coal yard—on the opposite side of the street; there was no other white man in sight.

Q. Did anyone there endeavor to incite these negroes to make any assault upon you—these five?—A. No; there was no one there except these four negroes.

Q. Were you employed as a detective by the Furlong Detective Agency to do this work there?—A. No, sir.

Q. How?—A. No, sir.

Q. You were not employed as a detective?—A. No, sir.

CHARLES FUCHS, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Where do you live?—A. No. 624-626 Morgan street.

Q. How long have you lived there?—A. I am there twelve years.

Q. Man of family?—A. Yes, sir.

Q. Does your family live there with you?—A. Yes, sir.

Q. Are you in business at those numbers?—A. Yes, sir.

Q. What business are you in?—A. I have a hotel.

Q. Were you running a hotel in October?—A. Yes, sir.

Q. October and November of the year 1902?—A. Yes, sir.

Q. I will ask you if Con Allen lived at your place—your hotel—on Tuesday, November 4, 1902, and during the latter half of the month of October of that year?—A. No.

Q. Did John Colok?—A. No.

Q. William Foster?—A. No.

Q. Henry Jacob?—A. No.

Q. Did Fred Jett?—A. No.

- Q. Did Emil Johns?—A. No.
 Q. Did Pat Laughlin?—A. No.
 Q. Robert Lehr?—A. No.
 Q. James C. Mongrau?—A. No.
 Q. Thomas Nolan?—A. No.
 Q. Did Geo. Nolan?—A. No, sir.
 Q. Did Fred Newman?—A. No, sir.
 Q. Did S. F. Smith?—A. No, sir.
 Q. Rolla Schaefer?—A. No, sir.
 Q. Did Sol Weyl?—A. Yes, sir.

Cross-examination by Mr. Rowe:

Q. How many boarders or roomers will your hotel accommodate?—A. They sleep mostly by the night, you know.

Q. Well, about how many roomers will you accommodate of a night; what is your average?—A. About 25 or 30; they are single men.

Q. A night?—A. Yes, sir.

Q. Did Con Allen ever room at your house?—A. It is a strange name to me.

Q. Did any of these parties whose names were given ever room at your house?—A. Names given as living in the house? Well, Sol Weyl—there is—

Q. Wait a minute. How many regular roomers have you at your house?—A. About 12.

Q. About 12?—A. Yes, sir.

Q. Regulars?—A. Yes, sir.

Q. Then you have about 12, 13, or 14 irregulars?—A. Yes, sir; they pay every night.

Q. They come and pay every night?—A. Yes, sir.

Q. Then of those that are not regular roomers, you don't recall all their names, do you—all of them?—A. Well, they are registered in the book; I don't know their names.

Q. You can't recollect all their names?—A. They are different strange men—

Q. Same fellow might come in several nights?—A. Yes, sir.

Q. And you wouldn't recollect his name?—A. No, sir; I wouldn't recollect him unless he was there and rented by the week or by the month. By the week.

Q. If he rented every night from you you wouldn't be able to recall his name, would you?—A. No, sir; I can't do that.

Mr. RICHY. But these men about whom I ask, with the exception of Sol Weyl, didn't live there regularly in October, 1902, and were not living there on Tuesday, November 4, 1902?—A. No; not regularly.

Recess until 2 p. m.

2 O'CLOCK P. M.

C. D. WILSON, of lawful age, being produced, sworn, and examined, on the part of the contestant, deposeeth and saith as follows:

Direct examination by Mr. RICHY:

Q. Where do you live?—A. 715 Franklin avenue.

Q. What is your age?—A. Sixty-eight.

Q. Your business?—A. Photographing.

Q. On your own account?—A. Yes, sir; well, no; not at present. I am working for a lady now.

Q. Where is your place of business?—A. 715 Franklin avenue.

Q. You reside at the same number?—A. Yes, sir.

Q. That is, your bed is there?—A. Yes, sir.

Q. You room there—that is your home?—A. Yes; I make it my home.

Q. How long have you lived there?—A. About—a little over two years.

Q. Were you living there along in October and November, 1902?—A. Yes, sir.

Q. How many stories are there to that building?—A. Two stories.

Q. How was the first floor occupied?—A. The first floor occupied by a saloon.

Q. Is there any sleeping room on the first floor, or rooms—accommodations for men to sleep and live?—A. No.

Q. How was the second floor occupied?—A. A small room occupied by the porter on the second floor.

Q. Where is your gallery?—A. 715 Franklin avenue.

Q. What floor is that?—A. Second floor.

Q. There is no third floor?—A. No, sir.

Q. Who lives at 711 Franklin? Do you know who did live there on election day last, November 4, and during the month of October?—A. No one.

Q. No one there then?—A. No, sir.

Q. You lived there at that time, did you?—A. Yes, sir.

Q. And there was no other men living in those rooms?—A. No; except, as I say, the porter, off and on.

Q. Except the porter?—A. Yes, sir; he was in the front room—sometimes there and sometimes not there.

Q. But that was a sleeping room?—A. Yes, sir; small hall room.

Q. Did Joseph Curran live at 715 Franklin avenue on November 4 last year, or during the month of October?—A. No, sir.

Q. Did George Clark live there?—A. Not that I know of.

Q. You would know if he had lived there?—A. I would, yes.

Q. Did John Donnelly live there at that time?—A. No, sir.

Q. Samuel Fox?—A. No, sir.

Q. John Kane?—A. No, sir.

Q. John Reynolds?—A. No, sir.

Q. Michael McNamara?—A. He is in the saloon. There is a McNamara there.

Q. Did he live in the house or have that for his home?—A. No, sir; oh, no; just a habitue of the barroom.

Q. Habitue of the barroom?—A. Yes, sir.

Q. James McDermott?—A. No, sir.

Q. Did James Mullally?—A. No, sir.

Q. Wm. Ryan?—A. No, sir.

Q. Daniel Shay?—A. No, sir.

Q. Joe Stein?—A. No, sir.

Q. Robert Tracy?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Do you know any of those persons whose names have been read off that you have stated did not reside at that place?—A. I don't know any of them; no, sir.

Q. Do you know whether anyone lodged downstairs or not?—A. I do not, but to the best of my knowledge there is no one who lives downstairs.

Q. Did you examine those premises during the month of October, downstairs, for the purpose of determining whether there were any lodgers there or not?—A. No, sir; oh, no.

Q. Are you a frequent visitor to the premises downstairs?—A. No, sir; I am in very seldom.

Q. You don't know who may have lodged downstairs there, do you?—A. Well, there is no accommodations for lodgers that I know of. In fact, I would know if I saw it. There is no accommodations downstairs for lodgers.

Q. Did you examine the premises to determine whether there were any accommodations?—A. I was out and in almost every day; daily, because the water-closet was in the saloon. I go down to the water-closet.

Q. Are there any rooms adjoining the saloon?—A. Well, there is a small room that is used for beer canning—canning beer in.

Q. Do you know whether any cots were used there for lodgers or anything of that kind?—A. Never saw any.

Q. Were you ever there after 12 o'clock?—A. No, sir.

Q. Were you ever there after 10 o'clock at night?—A. No, sir.

Q. What time of night did you visit there for the purpose of determining whether or not there were any accommodations or any lodgers there or not?—A. I never visited it for that purpose. I never was in after 10 o'clock except once. I don't know as I ever was in after 10 o'clock. I was in one evening and spent about an hour in the saloon.

Q. When was that?—A. I don't know, something like two months ago. I never frequent the saloon.

Q. That is all you know about it?—A. Yes, sir.

F. W. BROENING, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. You live at 1700 North Third street?—A. Yes; I do.

Q. How long have you lived there?—A. I have been there off and on for the last year or so.

Q. What kind of a place is that? What business is carried on there?—A. Hotel.

Q. What is the name of it?—A. Bridge Hotel.

Q. Were you there in the month of October, and were you there on election day,

November 4 of last year?—A. May I consult my memorandum book, where I keep my time?

Q. Certainly.—A. (After examination.) The last time I worked there was October 19. I had been gone some time before that; had been living there a while. I don't know whether I was there election day or not.

Q. Did you commence to work there the 19th of October?—A. I did, sir; yes, sir.

Q. Have you been there ever since?—A. I have.

Q. Do you know the people who lived there from the 19th of October—people who lived there regularly, I mean, from the 19th of October until the present time?—A. I could, perhaps, if I heard the names.

Q. You were the clerk at that place and waiter? Helper around there?—A. Well, in case of emergency, I attended to the register. It isn't very often, though.

Q. The rest of the time?—A. I do general work around the hotel.

Q. Do you know the people who live there permanently?—A. At the present time I think I know them all.

Q. Well, did Frank Miles live there? Did he live there in October and November of last year?—A. I don't know, sir.

Q. Did Ed Reeves?—A. I don't know, sir.

Q. Did Walter S. Lay?—A. Not to my knowledge.

Q. Did John Wilson?—A. I can't remember.

Q. Did William Thomas?—A. No, sir; I don't remember.

Q. Did Charles Paner?—A. I think not; I don't remember.

Q. Did Chas. S. McHatton?—A. Not at the present time. He couldn't have been there at that time.

Q. Couldn't have been there at that time?—A. No; I think not.

Q. William Carr?—A. I don't know.

Q. James Cosgrove?—A. He wasn't there at that time.

Q. Arthur Cannon?—A. Neither was he.

Q. Albert Baker?—A. Don't remember.

Q. Chas. Byrnes?—A. I can't say as to that.

Q. Peter L. Byron?—A. I think not; I don't remember.

Cross-examination by Mr. Rowe:

Q. What did you say your occupation was—what is your name?—A. F. W. Broening.

Q. What is your occupation?—A. Waiter, and helping in the hotel work in general.

Q. At the present time?—A. Yes, sir.

Q. At the Bridge Hotel?—A. Bridge Hotel.

Q. How long have you been engaged in that capacity; at that hotel?—A. Well, I have been there off and on the last two years, say.

Q. Off and on two years?—A. Yes, sir; different jobs, different times.

Q. Are you familiar with the register of that hotel? Can you call off those names that were registered? Did you have charge of that register?—A. I have not, in full.

Q. You have not?—A. But I have an insight of it.

Q. What do you mean by an "insight"?—A. I mean I know some of the names registered there.

Q. How many regular boarders or roomers or lodgers have you in that hotel? About how many?—A. Oh, perhaps 15 or 10, 12 or 15.

Q. Do you always, at all times, know the names of those who reside at that hotel?—A. No, sir; I don't.

Q. You don't?—A. No, sir.

Q. Will you swear that Wm. Thomas, Chas. Paner, Chas. McHatton, and P. Byron didn't reside at that hotel during the months of October and November, 1902?—A. Read them names again, please.

Q. William Thomas, Chas. Paner, Chas. McHatton, and P. Byron—will you swear that they didn't live there during the months of October?—A. What is that, Charles McHatton?

Q. McHatton. Charles E. McHatton.—A. He wasn't there election day.

Q. Neither of those men were there on election day?—A. McHatton wasn't; I don't know about the other one.

Q. He was one that you recognize as not living there election day?—A. That I will swear to.

Q. Will you swear the others didn't reside there election day?—A. No, sir; I can't recollect.

Q. Do you know McHatton?—A. I do.

Q. How long have you known him?—A. Oh, I would see him about—when I went to work there about two years ago, something like that.

Q. Did he live there?—A. Yes, sir.

Mr. RICHEY. I understand you to say that these people whose names you have given us, that you believe did not live there, while you can't swear positively they didn't live there, to the best of your belief they didn't live there?—A. I don't think they did.

Q. You don't think they lived there?—A. No, sir.

Mr. FROMBERG. But you won't swear they didn't live there?—A. No.

Mrs. BIRDIE ROTHBLUM, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Do you live in the city at 418 North Eighth street?—A. Yes, sir.

Q. That is the sixth precinct, Fourth Ward; how long have you lived there?—A. Six months.

Q. Married or single?—A. Married.

Q. You say you have lived there six months?—A. Yes, sir.

Q. How many stories are there in the premises?—A. Only one flight.

Q. One flight of stairs?—A. Yes, sir.

Q. There is the first and then above, second floor?—A. Yes, sir.

Q. What is the first floor used for?—A. Wall paper store and a cigar store.

Q. Are there any beds on the first floor?—A. No, sir.

Q. Accommodations for men staying there?—A. No, sir.

Q. Now, on the second floor, how many rooms are there?—A. Three; there is six rooms but there is another woman occupies the other three and I occupy three.

Q. You occupy three rooms and another woman occupies three rooms?—A. Yes, sir.

Q. This other woman, does she have a family in the rooms? Is her husband there?—A. No, sir; just a mother and daughter.

Q. Just a mother and daughter live in those three rooms?—A. Yes, sir.

Q. Any men live there with them?—A. No, sir.

Q. Who lives in your three rooms?—A. Me and my husband.

Q. Any other men?—A. No, sir.

Q. Now, on Tuesday, November 4, that is on election day of last year, during the month of October did Luke Ramsay live at 419 North Eighth?—A. No, sir.

Q. Did Charles Rackett?—A. No.

Q. Did Nathaniel Hancock?—A. No, sir.

Q. Did John Hanley?—A. No, sir.

Q. James T. Haney?—A. No, sir.

Q. Did Patrick Haley?—A. No, sir.

Q. Did J. C. Meyers?—A. No, sir.

Q. Did Peter Rafferty?—A. No, sir.

Q. James Rall?—A. No, sir.

Cross-examination by Mr. FROMBERG:

Q. You say you are married?—A. Yes, sir.

Q. How long have you been married?—A. Five years.

Q. Where were you married?—A. New York City.

Q. How long have you been residing in St. Louis?—A. Eleven months.

Q. Eleven months?—A. Yes, sir.

Q. Did you come here with your husband?—A. Yes, sir.

Q. You are now living with your husband?—A. Yes, sir.

Q. What is his occupation?—A. Well, he works on Fourth street; peddler.

Q. What?—A. Works on Fourth street.

Q. Fourth street?—A. Yes, sir.

Q. What does he do?

Mr. RICHEY. She said he was a peddler.

Q. He is a peddler?—A. Yes, sir.

Q. What is his name?—A. Philip Rothblum.

Q. What is your occupation?—A. Working in the house.

Q. Working in the house?—A. Yes, sir.

Q. Who else lives in the house with you?—A. Nobody else.

Q. Who occupies the rooms?—A. Nobody.

Q. The rooms in that house?—A. Nobody else.

Q. No one else?—A. No, sir.

Q. You have testified there was six rooms in the house?—A. Yes, sir; but there is another woman.

Q. You don't know who lives in the other part of the house?—A. There is a mother and a daughter there.

Q. What is her name?—A. Miss Bell.

Q. She lives there with her mother and sister?—A. Only her mother.

Q. And daughter?—A. Yes, sir.

Q. How old is the daughter?—A. I couldn't say.

Q. If you know?—A. I can't say.

Q. How old is Miss Bell?—A. I can't say.

Q. Do you know Luke Ramsay?—A. No, sir.

Q. Do you know C. Rackett?—A. No, sir.

Q. Do you know Hancock?—A. No, sir.

Q. Do you know John Hanley?—A. No, sir.

Q. James Haney?—A. No, sir.

Q. Pat Haley?—A. No, sir.

Q. J. C. Meyers?—A. No, sir.

Q. Peter Rafferty?—A. No, sir.

Q. Don't know any of them?—A. No, sir.

Q. Do you know a gentleman named White?—A. No, sir.

Q. You don't?—A. No, sir.

Q. Who brought you here to testify?—A. There was a man gave me this paper.

Q. When did he give you the paper?—A. Yesterday afternoon.

Q. Did you have any conversation with him?—A. I didn't want to take the paper.

Q. What conversation did you have with the gentleman?—A. Well, he wanted to know if there was any men in the rooms, and I said no.

Q. What did he do then?—A. Just gave me the paper.

Q. Is that all?—A. Yes, sir.

Q. Did he tell you what he wanted you here for?—A. About the election.

Q. About the election?—A. Yes, sir.

Q. What did you tell him?—A. Told him I didn't know anything about it. I didn't want to take it, and he said I would have to take it; I will have to come down here.

Q. Did you have to come down here with him?—A. No, sir; I came by myself.

Q. You say you had no conversation with this man other than that he told you it was about election and you knew nothing about it?—A. Yes, sir.

Q. Did anybody call to see you with any list and ask you if those persons whom I have mentioned resided at that address or not?—A. No, sir.

Q. They did not?—A. No, sir.

Q. Do you know anything about the rooms downstairs?—A. There is no rooms downstairs.

Q. What business do they have downstairs there?—A. Well, wall paper and a cigar store.

Q. Do you know whether anybody lives downstairs or not?—A. No, sir; the stores ain't big enough.

Q. How big is the store?—A. Well, the wall-paper store is as big as my three rooms. My three rooms are on top of the wall-paper store.

Q. Who else occupies your premises besides yourself and your husband?—A. Mrs. Bell.

Q. Any other men ever come there at all?—A. I can't say.

Q. Can't say?—A. Not as I seen. Not as I know of.

Q. Do you know whether any men occupy the store downstairs at night for sleeping purposes?—A. No, sir.

Q. What is Miss Bell's other name?—A. I can't say. That is the only name I know of.

Q. What is her first name?—A. I can't say.

Q. Do you know whether that is her first or last name?—A. I think it is her last name.

Q. How long has Miss Bell been living there?—A. About four years.

Q. How do you know she has been living there four years?—A. She told me that.

Q. She told you that? What else did she tell you about herself?—A. Nothing else.

Q. What does she do to support herself, do you know?—A. Well, she has a husband who supports her. They don't live together.

Q. Oh, she has a husband who supports her, but they don't live together?—A. Yes, sir.

Q. Have you ever been out with Miss Bell?—A. Yes; I go in there often and she comes into my place.

Q. Did you ever go out visiting with her?—A. No, sir.

Q. Ever go out walking with her?—A. No, sir.

Q. Isn't it a fact that you make it a custom that you and Miss Bell both go out walking in the evening or at dusk?—A. No, sir.

Q. You don't?—A. No, sir.

Q. Do you know the officer who walks that beat?—A. I don't know the name.

Q. You know him though?—A. Yes; when I see him.

MICHAEL CREILLEY, of lawful age, being produced, sworn and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHIE:

Q. Where do you live?—A. No. 2718 Laclede.

Q. Where is your place of business?—A. Fourth and Clark avenue.

Q. What is the number?—A. Well, you might call it 218; we are upstairs; between 218 and 220 is the entrance; we have 218, though.

Q. You have No. 218 and 220?—A. No; 220 is a saloon. We have 216, 218, and 220 above; 218 is the entrance we have downstairs.

Q. What are the premises upstairs at 218 to 220 South Fourth street?—A. Lodging house.

Q. Has that a name?—A. Erie House.

Q. What connection have you with that house?—A. I am day clerk.

Q. How long have you been day clerk?—A. Oh, five or six years.

Q. Were you day clerk there in the month of October?—A. Yes, sir.

Q. And November down to and including Tuesday, November 4, 1902, election day?—A. Yes, sir.

Q. Did James Donnelly live there on election day and also during the month of October, last year?—A. Well, I wouldn't want to swear to it unless I had the register of the house—too much for my memory. I don't think he was there.

Q. Don't think that he lived there?—A. To the best of my recollection; I could'nt swear to it unless I had the register here.

Q. Did John Ferrick or Finnick?—A. No Finnick lived there at that time.

Q. Did Martin Finnick live there at that time?—A. Martin Ferrick?

Q. No, sir; Finnick?—A. No, sir.

Q. Did John A. Gentry live there at that time?—A. I don't believe he did at the time.

Q. Did Timothy McCarthy live there at the time?—A. No, sir.

Q. Michael Cummings?—A. No, sir.

Q. Did Owen Clark live there at that time?—A. No, sir.

Q. Did James Bulton live there at that time?—A. No, sir.

Q. Did Michael Galvin live there at that time?—A. No, sir.

Q. Arthur Gordon—did he live there?—A. No, sir.

Q. Will Gurney?—A. No, sir.

Q. Patrick Dorsey?—A. No, sir.

Q. Mike Dolan?—A. No, sir.

Q. John Donagh?—A. No, sir. Pat Dorsey—I can swear that he wasn't there at that time.

Q. Who?—A. Pat Dorsey.

Q. Did E. C. Kampfer live there at the time?—A. No, sir.

Q. E. C. Klug?—A. No, sir.

Q. Patrick Joyce?—A. No, sir.

Q. William T. Higgins?—A. No; I don't believe he did.

Q. Harry Paxson?—A. No, sir.

Q. Frederick Pape?—A. No, sir.

Q. Edwin Petts?—A. May have lived there a day or two.

Q. He didn't live there a week?—A. No, sir; he didn't.

Q. Did Alexander M. Pill or Aleck M. Pill live there?—A. I can't say for sure whether he was there or not.

Q. He may have been?—A. Yes, sir.

Q. Frank O'Neil—was he there at that time?—A. May have been there a short time.

Q. What do you mean by "a short time"?—A. Oh, maybe a week or two weeks; maybe two days.

Q. You are not certain about him?—A. No, sir; I wouldn't be certain.

Q. James O'Brien?—A. He was not there.

Q. Was he there at that time?—A. No, sir.

Q. Did Arthur H. Nash live there at that time?—A. No, sir.

Q. Wm. E. Matthews—did he live there at that time?—A. No, sir.

Q. Tom McDonough—did he live there at the time?—A. No, sir.

Q. Henry McCabe?—A. He might, a day or two.

Q. No longer than that?—A. Not at that time he didn't.

Q. Do you know whether he was there election day or not?—A. No, sir; I wouldn't be sure; no, sir.

Q. Did he live there during the month of October—the entire month or the last half of the month?—A. That I can't say.

Q. Albin McGuire—did he live there at the time?—A. No, sir.

Q. Did T. L. Wood live there at the time?—A. I don't believe he did.

Q. Frank Ganner?—A. No, sir.

Q. John Langston?—A. No, sir.

Q. Did A. Spurgeon?—A. No, sir.

Q. Jacob Roth?—A. I don't believe he did.

Q. Harry Rice?—A. No, sir.

Q. John Ryan?—A. No, sir.

Q. John H. Logan?—A. No, sir.

Q. Peter Rafferty?—A. No, sir.

Cross-examination by Mr. FRUMBERG:

Q. How many rooms have you in this hotel?—A. I don't know how many rooms.

Q. About how many?—A. I can't say. I can tell you the number of people the house accommodates.

Q. How many people does the house accommodate?—A. Three hundred.

Q. How many?—A. A little over 300.

Q. You are day clerk there?—A. Yes, sir.

Q. You have a night clerk also?—A. Yes, sir.

Q. Who is the porter in the house?—A. Oh, off and on. They change—go and come.

Q. You act as porter, do you not?—A. Well, no.

Q. Never act as porter?—A. I don't exactly understand you—"act as porter." I don't understand what you mean by that.

Q. Don't you do the general housework of the house?—A. No, sir.

Q. You have others do that work?—A. Yes, sir.

Q. What do you confine your duties to?—A. To the books.

Q. As day clerk?—A. Yes, sir.

Q. About how many regular customers or lodgers do you have in the house? About what proportion of those men you accommodate?—A. What do you mean by regulars? How long?

Q. Those who stay there regularly?—A. Continuously?

Q. Continuously.—A. Very few.

Q. Can you undertake to give me the names of those who do stay there regularly?—A. I could if I had the register.

Q. Can you testify under oath that those persons whose names the contestant's counsel mentioned did not reside there in the month of October and November?—A. No, sir.

Q. You can't swear positively?—A. No, sir; I couldn't. If I had the register, I could.

Q. How many persons reside at the hotel now?—A. Oh, there is I guess 200.

Q. Two hundred?—A. Maybe a little more.

Q. Do you know the names of those who live there now?—A. The biggest part of them, yes.

Q. How many new lodgers come there every night?—A. I couldn't say.

Q. About how many?—A. It would be—I couldn't say how many.

Q. Are those who reside there now transients or regular lodgers?—A. Both.

Q. Do you know the names of the transient lodgers?—A. Some; not all of them.

Q. Do you know whether or not persons employed by the Government—Government works—make that their home when they are in St. Louis?—A. Some of them.

Q. The majority do, do they not?—A. I don't believe they do.

Q. A good many of them do, however, do they not?—A. I can't say whether they do or not.

Q. Can't say?—A. No, sir; I don't know what they do; they may be doing everything.

Q. You are not prepared to swear, are you, that those men whose names you mention do not reside there during the months of October and November, 1902?—A. No, sir.

Q. Did you know Arthur H. Miller?—A. Yes, sir.

Q. He resided at that hotel, did he not?—A. Yes, sir.

Q. When did he leave the hotel?—A. He died here not long ago.

Q. When?—A. Let's see. I was just after making a memorandum of that this morning. It isn't long ago; shortly.

By Mr. RICHEY:

Q. You have said in your direct examination there that very few lived at your place regularly?—A. No, sir.

Q. Of the 35 or more names that I asked you about a while ago that you said did not live there at that time, I will ask you if these people about whom you testify lived there as long as from, say, October 15, through the balance of the month of October, and, say, through the first week, or the first four days of the month of November, whether they were regular to that extent?—A. No, sir; I can't say; the register down there will show that.

Q. There is a register down there to show that?—A. Yes, sir.

Q. Can you bring that register here?—A. No, sir; I could not.

Q. You don't say—you don't pretend to say that these 35 or 37 men may have lived there regularly during those weeks and you not know about it?—A. The majority of them didn't live there.

Q. The majority of them didn't live there?—A. No, sir; they were registered from the election before, and were not scratched off.

By Mr. FRUMBERG:

Q. Will you swear they didn't live there?—A. No, no; I would have to go to the register to swear that.

Q. Well, you must not forget that you are under oath.—A. That is what I am telling you.

By Mr. RICHEY:

Q. You mean to say in answer to the gentleman's question that they may have been there a day or two or something of that kind, but they couldn't have lived there consecutively for about three weeks, between the 15th of October and the 4th of November, and you not know it, could they?—A. No, sir; there is too many; they are too numerous, coming and going; I would have—the register would show that.

By Mr. FRUMBERG:

Q. You won't swear they did not?—A. No, sir; I will not.

By Mr. RICHEY:

Q. Will you swear those 35 or 37 you have told us you did not believe lived there may have lived there from the 15th of October until the 4th of November, 1902?—A. Hardly.

Q. Hardly? Well, to the best of your belief?—A. No.

Q. No?—A. No.

By Mr. FRUMBERG:

Q. You have no positive knowledge, however?—A. No, sir.

Mrs. MARY PARKER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Your name is Mary Parker?—A. Yes, sir.

Q. You live at 604 North Fifteenth street, in the city of St. Louis?—A. Yes, sir.

Q. How long have you lived there?—A. Since the 7th of August, 1902.

Q. What do you do there?—A. Housekeeper.

Q. Housekeeper?—A. Yes, sir.

Q. Are you married or single?—A. Married.

Q. How many stories are there to that building?—A. Three.

Q. What is on the first floor?—A. A saloon.

Q. Are there any beds or accommodations for men to live?—A. No, sir.

Q. On the saloon floor?—A. No, sir; two wine rooms there.

Q. On the second floor how many rooms are there?—A. Five.

Q. And on the third floor?—A. Three.

Q. Who occupied the five rooms in the month of October and the first week in November, including election day, 1902?—A. Mr. Dauch, the proprietor.

Q. Do you know Chas. M. Davis?—A. No, sir.

Q. Did he live at 604 North Fifteenth street on Tuesday, November 4, and for two or three weeks prior thereto last year?—A. No, sir.

Q. Did Bert Drake?—A. No, sir.

Q. P. T. Kilcullen?—A. No, sir.

Q. William Kemper?—A. No, sir.

Q. Frederick Ruffand?—A. No, sir.

Q. Robert Spain?—A. No, sir.

Q. Gustav Milton?—A. No, sir.

Cross-examination by Mr. FRUMBERG:

- Q. Are you married, Mrs. Parker?—A. Yes, sir.
 Q. Live with your husband?—A. Yes, sir.
 Q. How is that?—A. Yes, sir.
 Q. Where does your husband reside; at that number with you?—A. Yes, sir.
 Q. You say there is a saloon downstairs?—A. Yes, sir.
 Q. No. 604 North Fifteenth street?—A. Yes, sir.
 Q. Who runs that saloon?—A. William Moore.
 Q. You know William Moore, do you not?—A. Yes, sir.
 Q. How long have you known Moore?—A. Since August.
 Q. Just describe that saloon. Describe the various anterooms and chambers which exist there.—A. The saloon?
 Q. Yes.—A. Well, I don't know; I never was in the saloon.
 Q. You state there are two wine rooms?—A. Yes, sir; two large—
 Q. How do you know that?—A. Large wine rooms. I have been in there, but not in the saloon.
 Q. You have been in the wine room?—A. Yes, sir; two large wine rooms.
 Q. With whom have you gone in there?—A. With my husband.
 Q. With your husband?—A. Yes, sir.
 Q. Ever go in with anybody else?—A. No, sir.
 Q. Always with your husband?—A. Yes, sir.
 Q. Did you go with him?—A. Yes, sir.
 Q. What did you go there for?—A. Just—
 Q. To get a little drink?—A. Yes, sir.
 Q. Who occupies the eight rooms in that establishment?—A. They are not all occupied now.
 Q. Who occupied those rooms during the months of October and November, 1902?—A. I don't know any of the people; only Mr. Dausch; that is all.
 Q. Don't know anybody but Dausch?—A. No, sir.
 Q. There were quite a number lived there during that period?—A. Well, I didn't know any of their names.
 Q. Will you swear under oath that those persons whom the contestant's attorney mentioned did not live in that house during the months of October and November, 1902?—A. No, sir.
 Q. You will not—A. I don't understand you.
 Q. Will you swear that those men whose names Mr. Richey mentioned did not live in your premises?—A. I will.
 Q. During that period?—A. Yes, sir.
 Q. You will swear to that?—A. Yes, sir.
 Q. Have you discussed this case with anybody; have you talked about this case with anybody?—A. No, sir.
 Q. Who brought you here?—A. I came all by myself to-day.
 Q. Came all alone?—A. Yes, sir.
 Q. Who came with you before?—A. I never have been here before.
 Q. Did you come here in response to a subpoena?—A. Yes, sir.
 Q. Who served the subpoena on you, if you know?—A. I don't know.
 Q. Did you have any conversation with the man who served the subpoena?—A. No, sir.
 Q. Did you?—A. No, sir.
 Q. Regarding this case?—A. No, sir.
 Q. What business is your husband engaged in?—A. Lunch business.
 Q. Where?—A. He isn't working just at present; he was.
 Q. Not working at present?—A. No, sir.
 Q. What is your husband's name?—A. John Parker.
 Q. John Parker?—A. Yes, sir.
 Q. You said in your examination that you didn't know the names of those who occupied your rooms during the months of October and November. You still maintain that that is the fact?—A. Yes, sir.
 Q. Then will you swear positively that those men whose names were mentioned didn't live at your house during that period of time?
 (Objected to as having been asked three times and answered in the affirmative each time.)
 Mr. FRUMBERG. My impression was that the witness didn't understand the question.
 Mr. RICHEY. Well, we object to it for the reason that it has been asked and answered repeatedly.
 Q. You said you didn't know the names of those who lived in the premises during the months of October and November, 1902?—A. No, sir.

Q. I ask you whether you will swear—A. Yes, sir.

Q. That those persons whose names were mentioned by Mr. Richey did not live in your premises during that period of time?—A. If they did I didn't know their names.

Q. Where did you live prior to the 7th of August, 1902?—A. Where did I live?

Q. Yes, sir.—A. I lived right where I am living now—604.

Q. Prior. I mean before the 7th of August.—A. O, before.

Q. Yes.—A. 608 Seventeenth street.

Q. What business were you engaged in at that address?—A. I was keeping house there.

Q. Keeping house for whom?—A. For my husband.

Q. Did you keep roomers there?—A. There was a lady kept roomers; I didn't have none there.

Q. Oh, you lived with the lady who kept roomers there?—A. Yes, sir.

Q. You were merely a boarder, then?—A. Yes, sir.

Q. Did your husband live with you at the time?—A. Yes, sir.

Q. How long have you been married?—A. Two years.

Q. Have you any children?—A. No, sir.

Q. What business was your husband engaged in at this Seventeenth street address?—A. Lunch business.

Q. You say he is out of employment at the present time?—A. Yes, sir.

Q. How many rooms have you now at 604 North Fifteenth street?—A. Three.

ARTHUR JACKSON, of lawful age, being produced, sworn, and examined before me on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. You live in the second precinct of the Fourth Ward?—A. Yes, sir.

Q. You live at 615 Franklin avenue?—A. Yes, sir.

Q. How old are you?—A. Twenty-seven the 21st of June.

Q. What is your business?—A. Teamster.

Q. Where do you live? Do you live at 615 Franklin avenue?—A. Yes, sir.

Q. Are you well acquainted with the premises 615 Franklin avenue?—A. Yes, sir.

Q. How long have you known those premises?—A. Since about 6th or 7th of October.

Q. Sixth or 7th of October?—A. Yes, sir.

Q. Were you there frequently?—A. Yes, sir; once a week.

Q. When did you begin living there?—A. Sixth of November.

Q. Who kept the house in October?—A. A party by the name of Davis.

Q. Who managed the house?—A. Davis.

Q. Was he a friend of yours?—A. Yes, sir.

Q. Were you a frequent visitor there?—A. Yes, sir.

Q. A visitor of his?—A. Yes, sir.

Q. Do you know who lived there at that time?—A. Didn't know all of them.

Q. Didn't know all of them?—A. No, sir.

Q. Do you know whether or not John Williams lived there during the first week of November, 1902, or during the month of October?—A. I couldn't say.

Q. Did Walter Wilson?

(Objected to on the ground that the witness has testified that he did not live at the house until after the 6th of November, 1902.)

Mr. RICHEY. Well, a man might not live there, but he may know who does live there. There is nothing incompatible about that position.

Q. Did Walter Wilson live there through the first week of November, 1902?—A. Yes; lived there two weeks.

Q. What two weeks?—A. Came there in October and lived there until about the middle part of November, I guess.

Q. What time in October did he come there?—A. Latter part of October.

Q. After the 20th?—A. No, sir; before the 20th.

Q. Before the 20th?—A. Yes, sir.

Q. Was he there the 15th or middle of October?—A. He came there along about the 15th or 16th.

Q. A. W. Weed—did he live there during the first week in November?—A. Had a room there. He lived there but he was out of town. He was a photographer.

Q. When did he go out of town?—A. He would go away about three days and come back.

Q. Was he there election day, do you know?—A. Yes, sir.

Q. Phillipo Toko—did he live there during the first week in November—election day?—A. I ain't certain whether he lived there or not.

- Q. James Sweeney—did he live there?—A. Yes, sir.
 Q. A. W. Snggs?—A. No, sir.
 Q. Aug. Sancoro?—A. No, sir.
 Q. Did Charles Sacaroco?—A. Yes, sir.
 Q. Did F. Sansone? Did he live there during that time?—A. Yes; he lived there.
 Q. Did Leo Robert live there at that time?—A. No, sir.
 Q. Did Michael Quattusoch live there at that time?—A. No, sir.
 Q. Did Alphonso Parise live there at the time?—A. Yes.
 Q. Did Frank Palezo live there at that time?—A. No, sir.
 Q. Did Frank Palmonseno live there during that time?—A. Yes.
 Q. Did Jos. Palozo live there during that time?—A. No, sir.
 Q. Did Antone Manibago live there during that time?—A. No, sir.
 Q. Did Vin Manto live there?—A. No, sir.
 Q. Did Sarl Monro live there at that time?—A. Yes.
 Q. Did John Manion live there at that time?—A. Yes, sir.
 Q. Thomas McDonough?—A. Yes, sir.
 Q. Did Louis Lapcota live there at that time?—A. No, sir.
 Q. Did Mattias Lizola live there during that time?—A. Yes, sir.
 Q. Gussepp Lizolo—did he live there during that time?—A. Yes, sir.
 Q. Did Don Alezorias live there during that time?—A. No, sir.
 Q. Did James T. Hopkins live there during that time?—A. Yes.
 Q. Paul Delise?—A. Yes, sir.
 Q. Ben Hyland?—A. No, sir.
 Q. Did Barney Dickman live there during that time?—A. Yes, sir.

Cross-examination by Mr. FRUMBERG:

- Q. What is your occupation?—A. Teamster.
 Q. By whom are you employed?—A. Henry Miller.
 Q. At the present time?—A. Yes, sir.
 Q. You have been a teamster how long?—A. The last eleven years.
 Q. That is your occupation?—A. Yes, sir.
 Q. Can you read and write?—A. Yes, sir.
 Q. When did you go to live at 615 Franklin avenue?—A. Sixth of November.
 Q. 1902?—A. Yes, sir.
 Q. After the election?—A. Yes, sir.
 Q. Where did you live before that time?—A. I lived at 1300 South Third street; 1700 Minnesota avenue; 1804 South Seventh street.
 Q. How long at those addresses and during what period of time?—A. I lived in Carondelet in 1901; lived at Lafayette avenue and 1300 South Third street 1902.
 Q. What is your nationality?—A. German.
 Q. You are not an Italian?—A. No, sir.
 Q. You are aware of the fact that all these names—the majority of these names—that you heard read to you are Italian names?—A. Yes, sir.
 Q. Do you speak the Italian language?—A. No, sir.
 Q. Do you understand the Italian language?—A. No, sir.
 Q. Do you associate with the Italian people?—A. Yes, sir.
 Q. Largely?—A. Yes, sir.
 Q. Can you give me the names of some of those whom you have testified did not live at this address during the months of October and November, 1902—from your memory now?—A. Izzolo.
 Q. What is that?—A. Izzolo.
 Q. What is that again?—A. Izzolo.
 Q. What is the first name?—A. I don't know the first name.
 Q. Don't know the first name?—A. No, sir.
 Q. Is it Izolo or Lazolo?—A. I don't know.
 Q. If you testified it was Lazolo in your direct examination you are mistaken?—A. No, sir; there was a Lazolo there, too.
 Q. Did the counsel for contestant mention Izola's name in his queries to you?—A. No, sir.
 Q. He didn't?—A. No, sir.
 Q. And you testified that he didn't live there during that period; is that right?—A. Yes, sir.
 Q. Do you know Mr. Robert?—A. Yes, sir.
 Q. Did he ever live at 615 Franklin avenue?—A. Yes, sir.
 Q. During the months of October and November?—A. Yes.
 Q. He did?—A. Yes, sir.
 Q. Didn't you testify in your direct examination that he did not? If you did so testify, then you are mistaken, or were mistaken, were you not?—A. Yes.

- Q. Do you know Imartroso?—A. Yes, sir.
- Q. Did he live at 615 Franklin avenue during the months of October and November, 1902?—A. Yes, sir.
- Q. He did?—A. Yes, sir.
- Q. If you testified in your direct examination that he didn't you were mistaken, were you?—A. Yes.
- Q. Did you know Mr. A. W. Suggs?—A. Yes, sir.
- Q. You did?—A. Yes, sir.
- Q. Did he live at 615 Franklin avenue during the months of October and November, 1902?—A. Yes, sir.
- Q. If you testified in your direct examination that he didn't you were mistaken, were you not?—A. Yes, sir.
- Q. Now, Pallozo you know; you know him, do you not?—A. Yes, sir.
- Q. Do you know whether or not he lived at 615 Franklin avenue during the months of October and November, 1902?—A. Yes, sir.
- Q. He did?—A. Yes, sir.
- Q. If you testified in your direct examination that he didn't you were mistaken, weren't you?—A. Yes, sir.
- Q. Take the other Palozo; you know him, too, do you not?—A. Yes.
- Q. They were brothers, weren't they?—A. Yes, sir.
- Q. Did he live at 615 Franklin avenue during the months of October and November, 1902?—A. Yes, sir.
- Q. If you testified in your direct examination that he didn't you were mistaken, weren't you?—A. Yes, sir.
- Q. Now, take Monbago.—A. Yes, sir.
- Q. Do you know him?—A. Yes, sir.
- Q. Did he live there in October and November, 1902?—A. Yes, sir.
- Q. If you testified in your direct examination that he didn't you were mistaken?—A. Yes, sir.
- Q. Take Manion.—A. Yes, sir.
- Q. Know him?—A. Yes, sir.
- Q. Louis Lapcota?—A. Yes, sir.
- Q. Lizola?—A. Yes, sir.
- Q. Ben Hyland?—A. Yes, sir.
- Q. Now, Ben Hyland; do you know him?—A. Yes, sir.
- Q. Did he live at 615 Franklin avenue during the month of October and November, 1902?—A. Yes, sir.
- Q. If you testified in your direct examination he did not live there during the months of October and November, 1902, you were mistaken, were you not?—A. Yes, sir.

WILLIAM GREER, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHY:

- Q. You live at 823 North Sixth street?—A. Yes, sir.
- Q. That is in the fourth precinct of the Fourth Ward. How long have you lived at 823 North Sixth street?—A. Twelve months—one year.
- Q. What business is carried on there?—A. Hotel.
- Q. Rooming house?—A. Yes, sir.
- Q. What is the range of prices?—A. Ten, 15, and 20 cents.
- Q. Ten, 15, and 20 cents a night?—A. Yes, sir.
- Q. The bulk of your business is transient business, for lodging house keeping?—A. Yes, sir.
- Q. What position do you hold there?—A. Day clerk.
- Q. What are your duties as day clerk?—A. Well, to register.
- Q. Register the names of people who stop there?—A. Yes, sir; do general work.
- Q. Have general direction of the house?—A. Yes, sir.
- Q. What time do you go on in the morning?—A. Five o'clock.
- Q. What time do you get off at night?—A. Five.
- Q. Do you know the permanent guests of that house?—A. I know the regulars.
- (Counsel for contestee objects to the introduction of the testimony of this witness on the ground that the notice calling for his examination is before James D. Halter, notary public, whereas this deposition is being taken before Notary Sanders.)
- Q. That is part of your business to know them?—A. Yes, sir.
- Q. Part of your business to know the guests of that house?—A. Yes, sir.
- Q. Did you have your present position at the hotel during the month of October,

especially the last half of the month of October, and in November, down to the 10th, including Tuesday, November 4?—A. Yes, sir.

Q. 1902, the day of election?—A. Yes, sir.

Q. I will ask you whether Laurence Wheeler lived at 823 North Sixth street on the last election day and continuously for two or three weeks prior to that time?—A. Not regularly; come and go.

Q. Was that his regular home during that period of time?—A. No, sir; it wasn't.

Q. Was that the regular home of George Walters during that period?—A. No, sir.

Q. Was it the regular home of R. E. Sampson during that period?—A. No, sir.

Q. Was it the regular home of Frank Robert during that period?—A. No, sir.

Q. Was that the regular home or living place of Louis Pettaluga during that period?—A. No, sir.

Q. Was it of James O'Toole?—A. No, sir.

Q. Was it of John Neal?—A. No, sir.

Q. Was it of Henry Miller?—A. No, sir.

Q. Was it of Daniel Murray?—A. No, sir.

Q. Was it of John Moran?—A. No, sir.

Q. Was it of John Martin?—A. No, sir.

Q. Was it of William Moore?—A. No, sir.

Q. Was it of James McCarthy?—A. No, sir.

Q. Was it of Oscar McCord?—A. No, sir.

Q. Was it of John B. Lampson?—A. No, sir.

Q. Was it of Thomas Kane?—A. No, sir.

Q. Was it of Thomas Haley?—A. No, sir.

Q. Was it of Morris Holster?—A. No, sir.

Q. Was it of George Clark?—A. No, sir.

Q. Was it of John Clark?—A. No, sir; I don't know him.

Q. What?—A. No, sir.

Q. Was it of Jerry Cullen?—A. No, sir.

Q. Was it of William T. Coffey?—A. No, sir.

Q. Was it of William Baker?—A. No, sir.

Q. Was it of Edward Powell?—A. No, sir.

Q. Was it of James J. Brophy?—A. No, sir.

Q. During the month of October did two men come to 823 North Sixth street, while you were there, to get the names of the regulars who lived at that number for the purpose of making up registration lists of the voters that lived in that house?—A. There was one.

Q. One man came?—A. Yes, sir.

Q. Not two?—A. No, sir.

Q. Now, when he came, did you give him the list—a list of the people who had been there permanently?—A. Gave him a few regulars; told him there were only a few regulars—not over a dozen or fifteen.

Q. Not over a dozen or fifteen?—A. Outside of that was transient trade.

Q. He didn't get 48 names from you, then, as living there?—A. No, sir.

Q. You never, at any time, said there was 48 men entitled to registration from that house?—A. No, sir.

Cross-examination by Mr. FRUMBERG:

Q. How long have you been day clerk at that hotel?—A. About two months.

Q. Who is the proprietor of that hotel?—A. William V. Burton.

Q. Does he have a general business at that number?—A. No, sir.

Q. What is the name of this hotel?—A. The Home Hotel.

Q. How many guests can you accommodate in this hotel?—A. One hundred and seventy-five.

Q. During the months of October and November, 1902, has all the space been occupied?—A. No, sir.

Q. About what was the greatest number you ever had there during those months?—A. About 160.

Q. Were you familiar with the names of that 160?—A. Yes, sir.

Q. How?—A. Yes, sir.

Q. Repeat some of the names of those who were there other than those mentioned by Mr. Richey, attorney for the contestant.—A. Well, there was Jerry Savage; Jack Lancaster—

Q. Can you repeat the difference between the number mentioned by Mr. Richey and those who were there?—A. Repeat—

Q. Can you repeat all their names?—A. I can not.

Q. You keep a record, do you not?—A. Certainly.

Q. You haven't brought the record with you, have you?—A. No, sir.

Q. You knew the object of your testimony to-day, did you not?—A. I did not.

Q. Nobody ever talked to you about this case?—A. No, sir.

Q. This is the first intimation you had?—A. Yes, sir.

Q. That this contest was open; is that the idea?—A. Yes, sir.

Q. Now, Mr. Greer, do you undertake to swear under oath that those persons whose names are mentioned by the attorney for the contestant did not live at the Home Hotel during the months of October and November, 1902?—A. Not regular; they may have been there a night or two and go off again.

Q. They may have been there more than a night or two, for all you know?—A. No, sir; I know them; I know—I look over the register every day a half a dozen times.

Q. The majority of your guests are transients?—A. Yes, sir.

Q. Those persons may have been there, may they not, and you may not have known it?—A. When they come two or three nights, they may be gone a week.

Q. They may have been there a week or so, for all you know?—A. Hardly any of them.

Q. You testified in your direct examination that one man called upon you for a list of those who lived at that hotel?—A. Yes, sir.

Q. How many names did you give him of those who resided there?—A. I don't think I gave him over 10 or 12.

Q. Are you the only person that has charge of the hotel during the daytime?—A. Yes, sir.

Q. When do you leave the hotel during the day; at what hours?—A. Five o'clock.

Q. You never leave during the day other than 5 o'clock?—A. No, sir; I have been gone five days in those twelve months.

Q. Does the proprietor live at the hotel?—A. No, sir.

Q. Does he come there?—A. Comes in the morning and gets his money; at 4 o'clock.

Q. You are the only person having charge of this hotel?—A. Daytime.

Q. During the day?—A. Yes, sir.

Q. Who has charge of the hotel at night?—A. Mr. Scannell.

Q. He is there from 5 in the evening until 5 in the morning, when you arrive?—A. Yes, sir.

Q. He has charge of the hotel during those hours?—A. Yes, sir.

Q. He is familiar with those who come in after you leave, is he not?—A. Sure.

Q. Then there may have been these persons there after you left in the evening, may there not?—A. I know their names, because I look over the register half a dozen times every day.

Q. What is the object of that?—A. Because people come there, and want to know certain parties; looking for a cook or a waiter or something, and want to know.

Q. Most of those persons are persons out of employment, or seeking employment, and things of that character?—A. Yes, sir.

Q. And you are prepared to swear under your oath that these persons whose names were mentioned by Mr. Richey did not reside at that hotel?—A. Not regular.

Q. During the month of October?—A. No, sir.

Q. Or November, 1902?—A. They may have stopped a night or two or three.

Q. They may have stopped there?—A. Yes, sir.

Q. They are not regulars?—A. No, sir.

Q. Do you live at the hotel? Sleep there?—A. Yes, sir; I have a room there.

Q. Persons stopping at that hotel leave alternately and come back, do they not?—A. Yes, sir.

Q. In numbers of cases?—A. Yes, sir.

Counsel for contestant offers in evidence Revised Statutes of the State of Missouri of 1899; laws of Missouri passed at the session of the forty-first general assembly, begun and held at the city of Jefferson, Wednesday, January 2, 1901, regular session.

Also Revised Statutes of the State of Missouri of 1899, revised and promulgated by the fortieth general assembly of the State of Missouri.

Also the statutes of the State of Missouri, particularly the Revised Statutes of the State of Missouri of 1899, relating to Congressional and electoral districts of Missouri, especially section 6611 of said statute.

Also offers especially chapters of the Revised Statutes of the State of Missouri containing the election laws, and laws relating to elections.

Also offers provisions of the election laws of the State of Missouri as compiled from the State constitution and laws, published under authority of section 7004, Revised Statutes of 1899, by Sam B. Cook, secretary of state, which latter book is

offered as an exhibit, the same being marked "Wagner v. James J. Butler, Exhibit A, of January 2, 1903. J. T. Sanders, notary public, city of St. Louis, Mo."

Also offers in evidence Official Manual of the State of Missouri for the year 1901 and 1902, compiled and published by Sam B. Cook, secretary of state.

Said book is offered as an exhibit, same being marked on its title page, "Geo. C. R. Wagoner v. James J. Butler, Exhibit A, of January 2, 1902. J. T. Sanders, notary public, city of St. Louis, Mo."

Mr. FRUMBERG. Attorney for contestee does not object to the introduction of these documents and instruments offered by attorney for contestant, but suggests that in order to facilitate the record, the paragraphs of the revised statutes referred to as having been offered be marked chronologically for easy identification.

At this point, 4.30 p. m., by reason of lack of witnesses, I hereby adjourn the further taking of these depositions until to-morrow, January 3, at 10 o'clock a. m.

St. Louis, *January 3—10 a. m.*

Pursuant to adjournment, parties met and the depositions were this day resumed as follows:

LOUIS WAGNER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. RICHY:

Q. What is your name?—A. Louis Wagner.

Q. Where do you live?—A. 2614 Potomac.

Q. What is your business?—A. Just now?

Q. Yes, sir.—A. Working down at the custom-house.

Q. In what capacity?—A. Storekeeper.

Q. Whereabouts is the custom-house where you work?—A. Third and Olive.

Q. In the first precinct of the Fourth Ward?—A. I suppose so; I don't know.

Q. Were you working there in the months of October and November, 1902?—A. Yes, sir.

Q. Were you working there in October on the day when the voters were being registered for the election that was held on Tuesday, November 4?—A. I was working there; yes, sir.

Q. Do you know William Lee, a colored man, of 409 North Levee?—A. I know him if I see him.

Q. Did you see him on registration day?—A. Yes, sir.

Q. Where?—A. On Olive street.

Q. Whereabouts?—A. Between the alley and the corner.

Q. With reference to this registration place; where was it?—A. Up near the corner; next to the corner on Third street.

Q. How far away was he from the registration place in that precinct?—A. Just about the center of the building.

Q. Do you know how many feet?—A. Across the street; about 200 feet, I guess; 150 feet, I would say.

Q. Just across the street?—A. In the middle of the building, about the east side.

Q. Across the street, a little further down?—A. Yes, sir.

Q. About 150 feet to 200 feet?—A. Yes, sir.

Q. What did you see him do there, Mr. Wagner?—A. What I see him do? He stopped men coming along there and handed them slips.

Q. What kind of men?—A. Colored men and white men.

Q. And handed them slips?—A. Yes, sir.

Q. Slips of paper, you mean?—A. Yes, sir.

Q. Go on and tell us all about it in your own way.—A. I saw him give these people slips and walk up the street.

Mr. FROMBERG. Before proceeding any further with this witness I wish to interpose an objection to the introduction of the evidence on the ground that no notice has been given of the taking of this witness's testimony. I desire to add to this objection any testimony taken before this or any other notary.

Q. Just slips of what?—A. Paper.

Q. Do you know how large they were?—A. I couldn't say; slips of paper; that is all I can say.

Q. Can you give us an approximate idea as to how large these pieces of paper were? Were they as large as a newspaper or as small as a postage stamp?—A. Maybe that large [indicating], folded up in their hand.

Q. Tell us in inches; were they 3½ or 4 inches long?—A. I suppose so.

Q. About a couple of inches wide?—A. Yes, sir.

Q. Will Lee did what with these slips?—A. Sir?

Q. What did Will Lee do with these slips?—A. Gave them to the men as they came along.

Q. Did his manner toward them show that he knew these men?—A. He talked to them.

Q. He talked to them?—A. Yes, sir.

Q. When they got these slips where did they go?—A. Walked up the street toward the polling place.

Q. Toward the place of registration?—A. Yes, sir.

Q. Did they go in there?—A. I couldn't say that.

Q. How many did you see Lee talking to and giving these slips to at that time?—A. Oh, I don't know.

Q. During what period of time did you see him?—A. From, say, 1 o'clock until 5 o'clock, the time we quit.

Q. Until 5 o'clock?—A. Yes, sir.

Q. Was he engaged in passing out these slips to these people during that entire time?—A. Yes, sir.

Cross-examination by Mr. FROMBERG:

Q. What did you say you were doing?—A. I am working in the custom-house as storekeeper, on Third and Olive.

Q. You are a Government employee?—A. Yes, sir.

Q. Are you under civil-service rule?—A. No, sir.

Q. Who employed you at the custom-house?—A. Judge Gallenkamp.

Q. When did you begin this employment?—A. Last March.

Q. What was your employment before that?—A. Previous?

Q. Yes, sir.—A. My trade is a butcher.

Q. What city office, if any, did you hold under the last administration?—A. What city office? I was city jailer—not under the last administration.

Q. What administration?—A. Walbridge.

Q. You were city jailer under Mayor Walbridge's administration?—A. Yes, sir.

Q. How long were you city jailer?—A. Three years and four months.

Q. Why did you leave that position?—A. Well, I left it because I suppose I had to.

Q. You resigned?—A. Yes, sir.

Q. What was the reason for your resignation?—A. Are you investigating me, or am I a witness?

Q. Just a moment. What was the reason for your resignation?—A. I refuse to answer that.

Q. Is it not because charges were preferred against you, and sustained, that you resigned?—A. I am not under investigation in this matter here; I don't know that I have to answer.

Q. You are a Republican?—A. Yes, sir.

Q. A very strong Republican, are you not?—A. Always have been.

Q. Which faction of the Republican party do you belong to—Aikins or Kerens?—A. That is a question I can answer. I don't belong to any faction.

Q. You do not belong to any faction at all, is that it, but you are a Republican?—A. No, sir; I vote my ticket just the same as you vote yours.

Q. What organizations do you belong to?—A. I don't belong to any.

Q. Is it not a fact that you were expelled from the Merchants' League Club?—A. No, sir.

Q. Is it not a fact that you are with the Aikins faction?—A. I am not.

(Objected to on the ground that the witness has already testified that he is not allied with any faction.)

Mr. FROMBERG. Let the witness testify; you have been examining him.

The WITNESS. I don't belong to no faction whatever.

Q. You don't belong to any faction?—A. No, sir.

Q. You said something about Lee having met these men?—A. I saw him; yes, sir.

Q. Did you hear any conversations that occurred between him and these men?—A. I stood there at the window looking out.

Q. What were you doing there all that time?—A. Wasn't doing nothing; just watching them.

Q. You were not a Republican spotter, were you?—A. No, sir.

Q. You were not employed by the Furlong Detective Agency to spy on these people, were you?—A. No, sir.

Q. Did you observe what was contained on these slips?—A. No, sir.

Q. You didn't see anything on the paper; you just saw these handed by Lee to the various persons?—A. That is all.

Q. What colored persons—what kind of persons did Mr. Lee hand these slips to, white or black?—A. Some white, some black.

Q. Some were white and some were black?—A. Yes, sir.

Q. How many slips did he hand out?—A. I could not say.

Q. Do you know how many there were?—A. I suppose I saw him hand out 15 or 20.

Q. You saw him hand out about 15; you will swear to that?—A. Yes, sir; I will.

Q. How long did you remain there?—A. I remained there all afternoon.

Q. Watching him all the afternoon, were you?—A. Yes, sir.

Q. You didn't see any irregular voting there, did you?—A. No, sir.

J. B. HIBBARD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. You are night clerk at 410 North Seventh street, a lodging house?—A. Yes, sir.

Q. Were you night clerk there in October? And on Tuesday, November 4, election day of last year?—A. Yes, sir.

Q. Do you know the names of the people who lived there at that time permanently?—A. Yes, sir; I know most of them.

Q. Did Peter Colville live there at that time?—A. I don't think he was registered there.

Mr. ROWE. Before you proceed with this testimony, I desire to object to the evidence of this witness on the ground that no notice has been given to the contestee that he would be examined before this notary or any other notary.

Q. Did any man of that name live there at that time?—A. I don't think so; no one was registered by that name.

Mr. RICHEY. Well, there was one registered.

Mr. FROMBERG. Let the witness testify, Mr. Richey; he said no one was registered there.

Mr. RICHEY. Won't you please direct your questions to the notary and not to me personally. It does not look well in the record for you to be telling me what to do.

The WITNESS. Most of the people registered don't give their right name. That is what cost me such a lot of trouble when I made out the list. I had to ask every man in the house his name. I don't know whether they felt that they disgraced the house or the house disgraced them. A part of them it would have been blamed hard to disgrace.

Q. You mean the lodgers?—A. Yes, sir; most of them it is impossible to get at their true names.

Q. Well, was there anyone stopping at 410 North Seventh street on Tuesday, November 4, 1902, and who had been there three weeks prior to that, who was called Peter Colville?—A. Not by that name; I don't think.

Q. Was there anyone stopping there at that time by the name of W. W. Cult?—A. No; I think not.

Q. Was there anyone stopping there at that time under the name of Patrick Clark?—A. No, sir.

Q. Was there anyone stopping there at the time under the name of A. Duengfelder?—A. No, sir.

Q. Was there anyone stopping there at the time by the name of John F. Freese?—A. No; I don't think so. I don't think at the time I made up this list. Mr. Burton told me there would be a reviser around, and I made up the list as best I could.

Q. Was there anyone living there at the time by the name of Dan Moberly or Mobberly?—A. Not that I remember.

Q. Was there a man living there at the time by the name of T. R. Potter?—A. No; I think not; not that I know of.

Cross-examination by Mr. FROMBERG:

Q. You have heard all these names mentioned?—A. Yes, sir.

Q. Are you prepared to swear under oath that none of these names that the attorney for contestant has called lived or stopped at 410 North Third street during the months of October and November?—A. Well, I'll tell you, I couldn't swear to that because, just as I told you, about three-quarters of those people in the house don't give their right names, and when I made up my list, I had to wait to make it up until I could see these men; there were lots of people that were not registered by their right name, and I would have to wait and see them and get their initials and get their right name to make up my list—

Q. I have asked you a question which admits of an answer either yes or no. I ask you that again; whether you are prepared to swear under oath that these per-

sons, these people whose names were mentioned by the attorney for the contestant, did not live at 410 North Seventh street during the months of October or November, 1902?—A. Well, no; not these names.

Q. You will swear that they did not live there under these names?—A. I don't think so.

Q. How many persons did you accommodate in the hotel ordinarily?—A. We can accommodate very handily 154.

Q. How many resided there during the months of October and November, 1902?—A. Well, of course, sometimes we have extra persons; and if we do, if we have—

Q. Answer that question; how many resided there at that time?—A. We were pretty well crowded up.

Q. Are you prepared to tell the names of every person who resided at your lodging house during that period?—A. No.

Q. Are you prepared to say, and will you swear that these persons whose names have been mentioned by Mr. Richey did not live there?—A. I don't remember the names.

Q. But you can not swear that they were there at that time?

Mr. RICHEY. Under these names, you mean?

Mr. FROMBERG. Under these names; yes, sir.

The WITNESS. I just say, to the best of my knowledge.

Q. You keep a register?—A. Yes, sir.

Q. Did you examine the register before you came here?—A. Not this morning.

Q. Were you advised of what you were to testify to at this contest?—A. No; I understood they wanted to know about the names.

Q. Did you search the record to ascertain whether these persons were there?—A. No; I did not. I took the list I gave to the reviser and brought it with me.

By Mr. RICHEY:

Q. These names about which I have asked you, were they the names that you gave the reviser of those living at 410?—A. No; they did not appear on my list. I gave the reviser a list and kept the copy.

By Mr. FROMBERG:

Q. Do you have absolute charge of the hotel?—A. No, sir; I am only night clerk.

Q. Who has charge of the premises in the daytime?—A. In the daytime, Tom Lynch; but he has nothing to do with the books, however.

Q. Tom Lynch may have given a revised list of these names to the revisers during your absence, may he not?—A. I don't think so; I don't know what may happen when I am asleep, of course.

Q. If Tom Lynch testified that he had a record of these names and that he did give them, did he testify wrongly?—A. No; I don't think that Tom would testify to anything wrong.

EDWARD M. GOULD, of lawful age, being produced, sworn and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. State your name, please, in full.—A. Edward M. Gould.

Mr. ROWE. Before proceeding with the examination of the witness I desire to object to the introduction of the witness on the ground that no notice calling for this testimony was ever given to us, to be taken before this notary or any other notary.

Q. Where do you live?—A. 4628 Berlin.

Q. What is your age?—A. Twenty-nine.

Q. You are a man of family?—A. No family; I have only a wife.

Q. What is your business?—A. Publisher.

Q. Of what?—A. Of the St. Louis City Directory, and Business Directory, and Blue Book, and other maps and guides of St. Louis.

Q. Are you in that business directly or through a corporation?—A. I am president of the corporation.

Q. What is the name of the corporation?—A. Gould Directory Company.

Q. Where is that company located?—A. 813 Locust.

Q. How long has it been in the business of publishing the city directories for the city of St. Louis?—A. The corporation has not been in existence all the time, but we have carried on the business something over thirty years.

Q. That is, your father established the directory business in the city of St. Louis?—A. Well, virtually.

Q. And the Gould Directory Company succeeded him?—A. Yes, sir; that is correct.

Q. With your father at its head during his lifetime?—A. That is correct.

Q. At his death you became the president and have continued so since that time?—A. Yes, sir.

Q. Do you have the direction of the gathering of names for the city directory for the city of St. Louis?—A. I have.

Q. Will you tell us how that is done?—A. It has been done by districts; we have as a rule men of great experience to get these names for us; sometimes we have men who are not experienced and we have to educate each man and give him his instructions, but as a rule they are men of experience, so that the names that we have we feel are as accurate as is possible to obtain them.

Q. How is the canvass made?—A. From house to house.

Q. After that canvass has been made, what care is taken with reference to the bona fides of these names and addresses, and so on?—A. That depends on what would be given us; when it is only a single house it is a simple matter. At every place we try to get the names from the office where there is an office, as hotels or boarding houses. The larger concerns we do not see the men; they usually give us a list in order that their force may not be disturbed and we accept these; of course we give preference to the information obtained at the house as against that at the office. We get the names of all men; and of widows, stenographers, cashiers, and such; no children.

Q. Is this work of collecting the names and arranging them in alphabetical order done by men of very large experience?—A. Yes, sir.

Q. And with very great care?—A. Yes, sir.

Mr. RICHEY. I now show you Gould's St. Louis Directory for 1902, volume 31, as indicated by the markings on the back of the book, and on page 41 of which appear the words written by the notary before whom these depositions are taken: "George C. R. Wagoner v. James J. Butler. Exhibit A of January 3, 1903. J. T. Sanders, Notary Public," and ask you if this is the directory issued by the Gould Publishing Company, for the year 1902, and if the directory was made up in the manner that you have related to us here?

A. It was.

Mr. RICHEY. I now offer this book in evidence.

Cross-examination by Mr. ROWE:

Mr. Gould, that directory was prepared at what time?—A. Starting about the 1st of November and finished by the 1st of April.

Q. What year?—A. 1902, started in 1901.

Q. It started in 1901?—A. Yes, sir.

Q. And ended in April, 1902?—A. Yes, sir.

Q. Well, your experience as a practical directory man is such that you know it to be a fact that there are frequent removals often within the period of one month?—A. Yes, sir; there are.

Q. And you would not pretend to say that the residences or the habitations of everybody, as given in that directory, is the same as it was on November 4 or October, 1902, would you?—A. No, sir; of course there are a great many removals. We make the changes wherever we can before the 1st of February.

Q. About the 1st of February the names there as given indicate the residences of the different parties?—A. Yes, sir.

Q. They are reasonably accurate, yet there may be some removals?—A. We call them absolutely so at that time, as far as we are concerned.

Q. And then between that date and October 1 there are many changes in residences?—A. Oh, the changes are going on all the time.

Q. The changes are continuous, daily, almost?—A. In certain parts of the town, they are daily.

Q. In this great metropolitan city, this World's Fair city of ours, there must of necessity be many changes?—A. Yes, sir.

Q. All that is in that directory is the information you obtained from what you considered to be the best sources as to the location and residences of the parties therein named, up to the time of the publication?—A. Yes, sir; that is correct.

EMMA MITCHELL (colored), of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Please state your name.—A. Emma Mitchell.

Q. You are a widow?—A. Yes, sir.

Q. Talk a little louder.—A. Yes, sir.

Q. You live where?—A. 1213 Lucas avenue.

Q. 1213 Lucas avenue? How long have you lived there?—A. I occupied that house three months to-day.

Q. That is, you went in there on the 3d of October and have lived there continuously?—A. I had the house continuously, but I haven't lived there myself.

Q. How many rooms are there on the first floor?—A. Two.

Q. What?—A. Two.

Q. What are they used for?—A. Restaurant, now.

Q. What were they used for in November?—A. Well, I had roomers: my two daughters stayed in them one month.

Q. On the second floor how many rooms are there?—A. Three.

Q. How many? How were they occupied?—A. I had one man, he rented it when I first moved in, and that is the only man I had to rent my room.

Q. On election day did Walter Caston live there?—A. No, sir.

Q. Did Charles Adams live there?—A. No, sir.

Q. Did Frank Smith live there at that time?—A. No, sir.

Q. Did Edward or Edwin McGuire live there?—A. No, sir.

Q. Did Albert King live there?—A. No, sir.

Q. Did John King live there?—A. No, sir.

Q. Did any one of these men live there during the month beginning October 1, 1902, and ending November 3?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Do you know any of these men?—A. No, sir; I don't know them.

Q. What is your business?—A. Me?

Q. Yes.—A. Keeps a rooming house and restaurant.

Q. Is that all?—A. That is all.

Q. How long have you been keeping a rooming house?—A. I been keeping a rooming house for four months and a restaurant about one month.

Q. How many roomers have you had at your rooming houses?—A. Well, I have eight rooms, 112 North Thirteenth, I have it filled and I rents two rooms in my present place—I has five rooms there.

Q. Who occupies these rooms?—A. My daughters and a single man.

Q. Is that all?—A. That is all.

Q. Never been occupied by anything else?—A. Nothing more than them womens.

Q. Only women?—A. Yes, sir. Some stayed a week and some stayed two weeks and then go.

Q. Nobody stayed there with them?—A. That I don't know.

Q. What is the best of your opinion?—A. The best of my opinion is that all womens have friends.

Q. Will you swear that none of these gentlemen who were registered there were not friends of these ladies and stayed in these rooms?—A. No, sir; I ain't knowing any of them by name.

Q. Are you familiar with the names of the occupants of the rooms?—A. Why, the women I know; I didn't see any men in there.

Q. But you don't know whether the gentlemen occupied the rooms there or not?—A. William Pugerty is the only man who came there; he came there when I first had them rooms; he is the only one that rented a room since I am there. He left one week to-day.

By Mr. RICHEY:

Q. You mean he went away one week ago to-day?—A. Yes, sir.

Q. He didn't live there on election day?—A. Sir?

Q. Did he live there on election day?—A. No, sir.

Q. You are a colored woman?—A. Sir?

Q. I say you are a colored lady?—A. I am a colored lady.

Q. How long have you been a colored lady—I mean how old are you?—A. Forty-three.

COLUMBUS FLEMING (colored), of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. State your name.—A. Columbus Fleming.

Q. How old are you?—A. I am 40.

Q. Where do you live?—A. 3947 Finney avenue.

Q. You are a man of family?—A. Yes, sir.

Q. What is your business?—A. Surveyor of the ports department. Third and Olive.

Q. That is a branch of the St. Louis custom-house—United States custom-house?—A. Yes, sir.

Q. How long have you been down there in your present position?—A. One year and four months. About one year and four months—along about there.

Q. That is the first precinct of the Fourth Ward?—A. Yes, sir; first precinct.

Q. The polling place is 223 North Third street?—A. Across from the building.

Q. From where?—A. From the custom-house.

Q. Where you were employed?—A. Yes, sir.

Q. You were at the custom-house on registration day?—A. Yes, sir.

Q. In the month of October, 1902?—A. Yes, sir.

Q. How long were you there?—A. I was there all day.

Q. Do you know William Lee, of 409 North Levee?—A. Yes, sir.

Q. How long have you known him?—A. About two years—three years—something like that.

Q. Did you see him on registration day of 1902?—A. Yes, sir.

Q. Where was he?—A. He was on the north side of the custom-house where we were working in the basement. Mr. Lee was on the outside.

Q. You were inside and he was outside?—A. Looking out through the window.

Q. How far away were you from Mr. Lee?—A. About as far as you are; right at the window, standing up.

Q. Right in front of the window?—A. Five or 6 feet from us.

Q. How long did you see him there?—A. Well, all day, when I was not busy.

Q. Did you see what he was doing?—A. Yes, sir.

Q. Tell us.—A. He had strips in his hand, something like this; about so long—

Q. How long is that?—A. Would you care to have me tear it off?

Q. No; how long is that without tearing it off? I want to get it into the record.—A. Just a piece of paper about the size of this.

Q. That can not go into the record. You mean 5 or 6 inches long?—A. Yes, sir; 5 or 6 inches long.

Q. How wide?—A. Well, about the same.

Mr. ROWE. That is a perfect square.

Q. So you say he was handing these slips?—A. Well—

Q. Could you see what was on them?—A. I couldn't say exactly, but I heard what he said—he was sending them voting.

Q. You heard what he said?—A. Yes, sir.

Q. Were the windows open or closed?—A. Closed; but after we seen them out there—so Butch Wagner opened the window about 4 or 5 inches so we could hear—

Q. He is the storekeeper there?—A. He is just as I am, working there; Mr. Sparkler is the storekeeper.

Q. Is not Mr. Wagner the storekeeper?—A. No; Mr. Sparkler is; Mr. Wagner works the same as I do, under Mr. Gallenkamp.

Q. What did William Lee say to these men?—A. He said to them, "You take this up and go to the registration place, and don't forget your name;" would tell the fellows, "That is your name," and would hand a strip of paper with "John Smith" or some other name on it, and would say, "If you forget what your name is look at this, hold it in your hand this way" [indicating.] The fellow agreed to do it, and when the fellow came back—

Q. Wait a moment now. Who were these men, what kind of men, white or colored?—A. Those who came to him were colored. The colored men were on one side and the white men on the other.

Q. The colored men were on one side of what?—A. One side of the street; the colored was on the north side and the white was right near the corner.

Q. The colored men were immediately north of the custom-house?—A. Exactly; and the white men was west, right in front, sort of south like.

Q. The white men were around the corner?—A. Yes, sir; that is right.

Q. You mean that these colored men came up and got slips from Lee in this way?—A. Just handed them pieces of paper, from what I could see; and I guess 200 came along just this way all day long, changing their coats, they came back, all day long this way.

Q. Now, then, after he gave them the slips, did you watch to see where these men went?—A. Yes, sir.

Q. Where?—A. Direct into the polling place.

Q. The polling place was the same as the registration place?—A. Right in the barber shop, across from the custom-house.

Q. That was the same place they registered at?—A. Yes, sir.

Q. A few weeks before election day?—A. Yes, sir.

Q. Now, did you see these men go into the registration place?—A. I did, sir.

Q. Do you know of anybody that came back? Tell us what took place then.—A. Well, he would come back to see Lee, who gave him a dime or a quarter, something like that; then go down the street and do the same thing again, changing coats and hats.

Q. What about the slips?—A. Every time he would have a different slip; he wrote all day long, handing slips to all of them.

Q. Now, did you see him give any slips to the white men?—A. No, sir; all he give was to the colored. I seen some white fellows on the other side of the street. These fellows—I seen the white go and change coats, going on in the same way.

Q. These men would come up and get a slip, go to the registration place, and afterwards come out and see Lee, and then by and by you would see the same men, with different hats and coats, go and get slips and go in to register again?—A. Yes, sir.

Q. Lee furnishing them slips?—A. Yes, sir; I also went to see Lee personally, myself. I went to him and I said, "Lee;" he says, "What?" I says, "I find these fellows are watching you and watching these men. I think the fellows are watching to see if you are registering quite a number of ballots; you better look out." He says, "That's all right," and gave me a cigar, and I says, "No, sir; I tell you they are watching you." I give it to him straight; that is the way I spoke. That is the same way he went on down around the 4th. There was a fellow had one of these drums and was beating it—drumming up a crowd for Lee, and he was sending them up to register.

Q. Who was doing that?—A. Lee; the boys were going up.

Q. He was assembling them with a drum?—A. Yes, sir; telling the fellows he would get them something to drink and they went up.

Q. Where?—A. To the registration place. I stood there a while, didn't say so much more, and he asked me would I have a beer; I said yes; I took it and went. Afterwards, on election day, the same thing went on—the fellows did the same identical thing.

Q. The same identical thing—what do you mean?—A. He had these fellows—

Q. Who had?—A. Lee.

Q. William Lee?—A. Yes, sir; he goes ahead and gets these fellows and tells them what name to vote, same name as they registered, hands them the slips. I seen them coming from the levee there—these river fellows.

Q. How many? Where did Lee stand?—A. Same place; he could watch to see whether they went; he watched them like a hawk watches a chicken.

Mr. ROWE. Don't you mean like a colored gentleman would watch a chicken coop.

The WITNESS. Nobody ever said anything; policemen standing around; I told Mr. Hamilton about it.

Q. Now, how many men did you see take slips on election day from William Lee and then go and vote?—A. Until from 10 or half past 9; I remained until 12 o'clock; they were handing strips every time I looked.

Q. Who was?—A. Lee.

Q. Then what?—A. Go ahead up the street.

Q. Across on the east side of Olive street?—A. Yes, sir.

Q. North Third street, I mean.—A. Yes, sir.

Q. Were you there on the afternoon of election day?—A. No, sir; I just went in the morning.

Q. During what hours?—A. Half past 9 until 12.

Q. Was Mr. Lee there passing slips there?—A. He was there running those men, and I got after him again about it; he was a pretty good friend of mine.

Q. Did the men change hats and coats?—A. Yes, sir.

Q. As they did on registration day?—A. On that day they changed right back there in the alley.

Q. What day?—A. Election day, in the alley back of the custom-house.

Cross-examination by Mr. ROWE:

Q. You are a colored gentleman, are you?—A. Yes; I suppose I am a little darker than you are.

Q. William Lee is also colored?—A. Yes, sir.

Q. Butch Wagner is a white gentleman?—A. Yes, sir.

Q. You occupy the same position in the custom-house?—A. Yes, sir; you mean Mr. Louis Wagner?

Q. I thought you called him "Butch." You both occupy the same position?—A. They call him all kinds of names; that is the name they gave him at the jail.

Q. Any kind of a name they call him is proper for him?—A. Yes; I guess so.

Q. Nearly all the colored voters in the city are Republicans, are they not?—A. I don't know; I can answer for mine.

Q. What is your experience with the colored men?—A. Quite a number, I believe, votes that way; I believe they voted the Republican ticket; some votes, I suppose, the Democratic ticket.

Q. At the recent election there was quite a number of colored gentlemen that voted the Democratic ticket, according to your knowledge and experience: is that true?—A. Well, I couldn't say; I never seen any outside of my own.

Q. But from your general knowledge?—A. Well, I couldn't say whether or not they did vote Republican; I heard some say they voted Democratic; some say they didn't.

Q. Now, Lee—William Lee I mean by that—never gave any slips to any white man of any kind?—A. No, sir: he didn't give to the white men: there was a white man on the other side doing the same as he did—the same as he was doing—combination.

Q. And you say he gave slips 5 by 5—5 inches by 5 inches?—A. Just about square.

Q. On white or colored paper?—A. On white paper.

Q. Did you read any of those slips?—A. I could not read them from where I was. I heard what they said through the window, standing a couple of inches open.

Q. What did Billy Lee say: what did he tell them?—A. He was always telling them that they must hold the slip in this direction. If you are John, Tom, or whatever you are called on registration day, that was the name to vote in.

Q. How many did he have in that flock?—A. How many?

Q. Yes, sir.—A. Oh, my, a whole lot. They just worked like ants; right up from the river and right back this way [indicating].

Q. How many persons?—A. How many persons? Oh, my Lord! When I hadn't anything to do I watched them going and coming, just like this [waving hands]. Must have been 300 or 400 the way they were coming and going.

Q. They all registered from that precinct?—A. Right across there at that precinct.

Q. How?—A. Yes, sir.

Q. All registered there?—A. Yes, sir.

Q. Usually the same—you recognized them as being the same colored persons?—A. Some of them were the same.

Q. How often did any one man register, to your knowledge?—A. I would say I seen them change coats—we could stand and look all the time—changing hats and coats.

Q. How many different persons was it that was doing all this registration?—A. How many men?

Q. Yes, sir.—A. I seen Lee, he was superintendent of the colored: I don't know who was on the other side. I could see these white fellows directly opposite. They went right in the saloon, because I went over to see.

Q. How many colored men were in this gang?—A. Lee was standing there, and then 300 or 400, looked like ants working—standing and giving another and another slips, and they coming and going.

Q. How many colored persons—how many different colored persons—together did you see—50 or 60, 70, 100, or 300, as you stated?—A. You mean like this: How many repeated the same time over?

Q. Yes, sir.—A. I couldn't say. I seen three or four, or so: I didn't have time just to look. Just like you would see a man go to a saloon and act as they did, when you saw him again you would say, "There goes the same fellow." They just kept this up all day.

Q. How often did you see the same fellow?—A. Change his coat? I suppose about three or four times; we didn't have time to stand and watch them.

Q. How often will you swear you saw anyone come up and register?—A. I seen them change his coat three or four times—one man—that was one man. I seen him change his coat and Lee give him a slip.

Q. That was one man?—A. That was one man.

Q. One man. Now, what next?—A. All these levee people—I would not know them.

Q. You don't know the levee people?—A. No: they run on the Mississippi and change clothes, and I don't know them.

Q. How many people came from the levee?—A. Looked about 300 or—

Q. Colored?—A. They had a little drum and drummed them up.

Q. A drum to gather them all together?—A. Yes, sir.

Q. And there were 300 or 400 of them all together who went up and registered?—A. Yes, or more: but I know there was that many.

- Q. You noticed that many come up?—A. Yes, sir.
 Q. They were all real live people?—A. Live?
 Q. Yes, alive, all that you saw?—A. Seemed so to me: those I seen was alive.
 Q. No ghosts?—A. Yes, alive.
 Q. What position do you occupy?—A. Well, we are laborers, Butch Wagner, and a lot of us.
 Q. Laborers?—A. Yes, sir; we work down there as laborers.
 Q. You are not a laborer?—A. I works hard; yes, sir.
 Q. Wait a moment; you say that Lee watched these men like a hawk watches a chicken?—A. I says he watches them like a hawk watches a chicken.
 Q. Do you not mean just like a colored gentleman would watch a chicken coop?—A. I don't know how they watch; I know how he watched.

Redirect examination by Mr. RICHEY:

- Q. William Lee is at 409 North Levee?—A. Yes, sir.
 Q. What sort of a place is that?—A. Saloon.
 Q. What is the name of it?—A. I don't know, sir: I heard some call it "White Lion."
 Q. Do you know the east end branch of the Colored Men's Jefferson Club of this city?—A. Do I know it?
 Q. Do you know such an institution?—A. Yes, sir.
 Q. Where is that institution located?—A. Well, it is at Lawton and Twenty-sixth—

- Q. That is the west end.
 Mr. FROMBERG. I object: kindly allow the witness to testify; he knows better than you.
 Q. Then let him tell it.
 The WITNESS. Lee's place, is that what you want?
 Q. I want you to say what you know, not what I want.—A. I don't know. I heard the boys say it is a bad place.
 Q. Is 409 North Levee the location of the east branch of the Colored Men's Jefferson Club?—A. That is what I heard them say; I don't know.
 Q. You don't know?—A. I never went around there.
 Q. How near the polling place, 223 North Third, is the saloon?—A. Saloon next door.
 Q. Was that open all day?—A. All day long.

By Mr. FROMBERG:

- Q. You got a drink there?—A. No, sir.
 Q. Never got a drink there?—A. I didn't drink there.
 Q. Didn't Lee give you a drink that day?—A. Not at this place.
 Q. Where?—A. Not at this place; on the corner of Olive and the levee.
 Q. That is, after you saw him hand these slips?—A. I went to talk to him about it.
 Q. You had a cigar with him?—A. Yes, sir.
 Q. That was after you had spoken to him about that?—A. I was friendly to him; I said, "You will get into trouble."
 Q. You were solicitous about his welfare?—A. I hated to see him get in trouble.
 Q. You hold a position at the custom-house, do you?—A. Under Mr. Gallenkamp; yes, sir.

JOSEPH F. WITHERS, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

- Q. Your name is Joseph F. Withers?—A. Yes, sir.
 Q. Where do you reside?—A. 320 South Fourth street.
 Q. How long have you lived there?—A. Two years.
 Q. What is your business?—A. Clerk in a dry goods store.
 Q. Did you vote at the election held in the city of St. Louis, Tuesday, November 4, 1902?—A. No, sir.
 Cross-examination waived.

B. S. WHITTAKER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposes and saith as follows:

Direct examination by Mr. RICHEY:

- Q. Your name is B. S. Whittaker?—A. Yes, sir.
 Q. What is your age?—A. About 51.
 Q. Are you married or single?—A. Single.

Q. Where do you live?—A. 801 North Sixth street.

Q. At the fourth precinct of the Fourth Ward?—A. Yes, sir.

Q. What is your business?—A. I act as day clerk in a rooming house or lodging house.

Q. At that number.—A. Yes, sir.

Q. How long have you been clerk there?—A. About forty-four months.

Q. Do you know the people who reside permanently there at that number and make it their home?—A. I believe so; yes, sir.

Q. Do you know the persons who resided there permanently and made it their home during the month of October and on Tuesday, November 4, 1902?—A. Yes, sir.

Q. Did John Ward make that his home at that time?—A. No, sir.

Q. Did not make that number his home?—A. No, sir.

Q. Did Thomas Simms make that his home?—A. No, sir.

Q. Did Tobias Shannon?—A. No, sir.

Q. Did Albert Schafer make that his home at that time?—A. No, sir.

Q. Did James T. Quigley?—A. No, sir.

Q. Did Quigley ever live at that number?—A. He did; yes, sir.

Q. Where does he live now?—A. He is in the penitentiary; I believe he is under three years' sentence.

Q. Did Thomas F. Moore live there at the time mentioned?—A. Yes, sir.

Q. Did Tom McGrew?—A. No, sir.

Q. Did J. J. McDonald live there at that time?—A. No, sir.

Q. Did James Hughes?—A. No, sir.

Q. Did Paul Hines live there at that time?—A. No, sir.

Q. Did Patrick Haley?—A. No, sir.

Q. Did George Higgins?—A. No, sir.

Q. Did Thomas Haley?—A. No, sir.

Q. Did Henry Grady?—A. No, sir.

Q. Did Albert Farner?—A. No, sir.

Q. Did James Clark?—A. No, sir.

Q. Did Peter Crosby?—A. No, sir.

Q. Did John Cullen live there on election day?—A. No, sir.

Cross-examination by Mr. ROWE:

Q. Did John Cullen ever live there?—A. Yes, sir.

Q. When?—A. He lived there in the winter of 1901, I think, up to the 1st of May, 1902. Since that time he has not been rooming there.

Q. Do you know where he is now?—A. No, sir.

Q. Do you know where he has been since May, 1902?—A. No, sir; I do not.

Q. Never occupied a room there after that time?—A. After May? Not permanently, and I don't think as a transient man. Of course, there are men at times who stay there a night or so, but I do not call them permanent.

Q. How about Crosby?—A. Peter Crosby was rooming there until about the middle of October; then he left the city.

Q. Of last year, 1902?—A. Yes, sir.

Q. Clark, James?—A. I don't know.

Q. You don't pretend to say he never lived there, do you?—A. He never registered there as a permanent man.

Q. A great many of these fellows could not have a permanent home—you mean by "permanent" a man that pays by the day, week, or month, don't you?—A. Don't make any difference whether he pays by the week or month, if he is always there, week after week, month after month, we consider him permanent. A man who has a room for a day, or week, or a few days, and goes away, and we don't see him for a month, we don't consider him permanent.

Q. Did Farner ever room there?—A. Farner did; yes, sir.

Q. When did he room there?—A. Farner roomed there about a year and went to Illinois in July. He was back in October and stayed two weeks, then went back to Illinois again.

By Mr. RICHEY:

Q. He was not living at your house at that time?—A. No, sir.

By Mr. ROWE:

Q. Was he living there before October 14, 1902?—A. Well, now, sometime during the month of October he was in the city and stayed at our house.

Q. Mr. Grady, do you know about him?—A. No, sir.

By Mr. RICHEY:

Q. Don't know anybody by that name?—A. I know one man by that name, but his name is Dan Grady.

By Mr. ROWE:

Q. How about Thomas Haley?—A. Thomas Haley? No, sir.

Q. You didn't know anybody by that name?—A. No, sir.

Q. Nobody ever registered there by that name?—A. I couldn't tell you that.

Q. George Higgens; do you know him?—A. I don't know the gentleman.

Q. Anybody ever register by that name?—A. Not since I have been there; not as a permanent roomer.

Q. Well, as a transient.

(Objected to as irrelevant and immaterial. Transients can not vote.)

The WITNESS. I don't remember; no, sir. A great many people register at our place. I don't remember that name.

Q. Do they all register under their own names?—A. I don't know anything about that. I never ask a man as to whether he is giving me his right or wrong name.

Q. How many persons can you accommodate?—A. One hundred and sixty.

Q. One hundred and sixty persons?—A. Yes, sir.

Q. Patrick Haley you are not acquainted with?—A. No, sir; I don't know him.

Q. Do you know Paul Hines?—A. I don't, sir.

Q. You don't pretend to say he never was a roomer there, do you?—A. Well, now, if he ever was—I would not say that he was not; I don't remember.

Q. How about James Hughes?—A. I don't know him, sir.

Q. You wouldn't tell us that he never was a roomer there?—A. No, sir; I don't.

Q. How about John J. McDonald?—A. I am acquainted with him, sir.

Q. He has roomed there?—A. He has roomed there a great deal, but not for a long time.

By Mr. RICHEY:

Q. How long?—A. I think he was called away from the city.

By Mr. ROWE:

Q. Has he returned?—A. I don't think so. If he has, I've never seen him.

Q. You don't know whether he has or not?—A. No, sir.

Q. Do you know Thomas M. Green?—A. I don't know him.

Q. Will you say he never roomed there?—A. I don't say that.

Q. Thomas Moore?—A. He is an employee there, sir; he is an employee of the house.

Q. And James J. Quigley?—A. He has not been there for some time.

Q. He did room there?—A. He has; yes, sir.

Q. He had been a permanent roomer there?—A. Sir?

Q. He had been a permanent roomer there?—A. Well, he used to stay there, I believe, most of his time.

Q. Just as long as he had money enough to pay for his room he stayed there?—

A. I believe he did; yes, sir; I don't know about that.

Q. Albert Schaefer?—A. He had a room there; yes, sir.

Q. Did Tobias Shannon ever room there?—A. He has roomed there; yes, sir.

Q. And Thomas Quinn?—A. I don't know the gentleman.

Q. You don't know whether he ever roomed there or not?—A. I don't think he ever did, permanently.

Q. Do you know John Ward?—A. I don't know him, sir.

Q. You don't know whether he ever roomed there permanently?—A. Well, I am pretty well satisfied he never roomed there permanently since I have been there; previous to that I can't answer no questions.

Q. You are the night clerk?—A. No, sir; day.

Q. The day clerk is not as familiar with the frequenters of that hotel as the night clerk is, is he?—A. Well, now, I don't know what you mean by that question, sir.

Q. Don't you understand the question?—A. We both have our duties to attend to; we both have access to the books, and both of us are supposed to know who is in the house.

Q. Then you would only know those that were in there when you were on duty, which was the daytime?—A. No; I don't think that would be necessary that I would only know those that were there when I was on duty; I have a register before me all the time.

Q. Would you know those that occupied the rooms in the house?—A. I might not pay any attention to those that stay a night or a couple of nights; if they stayed a couple of weeks I certainly would know it.

Q. If a customer came and registered there nightly, would you notice that name?—A. I would be very apt to.

Q. Do you go over the night register?—A. Yes, sir; every day, to get the number of the rooms that are occupied and those that are not.

Q. And you keep that in your head of heads, do you?—A. I don't; I have my keyboard and my book.

Q. You are able to give from memory those who occupied these rooms in the nighttime?—A. I don't think so; I don't think it is necessary.

Mr. RICHEY. You are right about that.

Q. If it was necessary do you think you could do it?—A. I don't think I would make an effort to.

Q. You would not try?—A. No, sir.

Q. If you did try, don't you know you couldn't do it?—A. No use answering a question like that; I can't say.

Q. You don't answer that, do you?—A. It might take a man sometime to memorize 100 names.

Q. Did you ever undertake it?—A. No, sir; never did.

Q. And the only names that you are able to give are those that were familiar to you; is that right?—A. Well, I don't know; you might think so, to a certain extent.

Q. Isn't it absolutely true that the only names you can give are those you are familiar with?—A. Names that I am in the habit of hearing called.

Q. Persons you know and meet frequently?—A. Have seen registered from time to time.

GEORGE T. LEWIS, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. Please state your name.—A. George T. Lewis.

Q. Please state your age.—A. Fifty-nine years.

Q. Your place of residence?—A. 4154 Lucky street.

Q. Your business, please?—A. Clerk.

Mr. ROWE. We object to this witness testifying, for the reason that we have received no notice of the fact that he would be called upon to testify.

Mr. RICHEY. I now hand you a number of pages fastened together, purporting to be a full and complete transcript of all the votes cast in the Twelfth Congressional district for the short term in the city of St. Louis for the candidates therein named at the election held on November 4, as shown by the returns made to the office of the board of election commissioners by the judges and clerks of election of the different voting precincts, and ask you if you recognize that paper and if you had anything to do with the preparation of it?—A. Yes, sir; I prepared it; I recognize it.

Q. From what did you prepare it?—A. From the official records in the office of the board of election commissioners.

Q. Who furnished these records to you to make the examination from?—A. The chief clerk of the election commissioners' office.

Q. Who is that?—A. Jack Stansbury.

Q. When did you make it?—A. Just finished it this morning.

Mr. RICHEY. I offer this instrument that is marked George C. R. Wagoner v. James J. Butler, Exhibit B of January 3, signed by Louis Kunz, secretary of the board of election commissioners, and also signed J. T. Sanders, notary public.

Mr. ROWE. Let me see that paper.

(Paper handed to counsel.)

Mr. RICHEY. Any objections?

Mr. ROWE. No, it is official.

Cross-examination waived.

WILLIAM HEYENBROCK, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. State your name in full.—A. William Heyenbrock.

Q. Where do you live?—A. 1826 Kenton.

Q. You are a man of family?—A. Yes, sir.

- Q. Where do you work?—A. United States bonded warehouse.
- Q. Is that Third and Olive?—A. Yes, sir.
- Q. Fourth Ward, first precinct?—A. Yes, sir.
- Q. Were you employed at the custom-house during the month of October and November, 1902?—A. Yes, sir.
- Q. How were you employed there?—A. As a laborer.
- Q. Do you know William Lee, of 409 North Levee, saloon keeper?—A. I know him when I see him.
- Q. Did you see him on or about the middle of October, 1902?—A. Yes, sir.
- Q. Where was he when you saw him?—A. Right on the sidewalk, standing in front of one of the windows of the basement where I worked.
- Q. That is, he was on the south side— A. Of Olive street.
- Q. On the sidewalk and immediately north of the United States custom-house, where you were employed that day?—A. Yes, sir.
- Q. What was William Lee doing there?—A. He had a lot of colored fellows, handing out slips, giving them names, telling them how to vote, and instructing them.
- Q. How to vote or how to register?—A. What names they give in where they live, where they were born, and how long they been in the city; went through that three or four times with each man, and then handed them a slip to go and vote.
- Q. You mean to go and register?—A. Register.
- Q. How many men did you see him do that with?—A. About 15 or 20, I guess.
- Q. Did he deal with these men, or any of them, more than once in that way?—A. Oh, yes; I seen one several times.
- Q. How many times did you see him?—A. I seen him go three times.
- Q. Did you see any changes in raiment—hats or coats among these men that William Lee was sending to register?—A. Yes; the one I am referring to.
- Q. With whom did he change?—A. With the other colored fellows there.
- Q. How long do you know that William Lee was engaged in that work on that day?—A. I seen him every time I went to the window engaged in the same business.
- Q. How long were you there?—A. Well, you see, I was busy, but every time I went to the window all afternoon.
- Q. All afternoon?—A. Yes, sir.
- Q. Were you there on election day?—A. No, sir.

Cross-examination by Mr. ROWE:

- Q. Is William Lee white or black?—A. Black.
- Q. You don't know of any one person going in more than once, do you, to register?—A. Yes, sir.
- Q. How many do you know of?—A. I know this one went three times; I'm positive of that.
- Q. Anybody else?—A. I seen others going in there.
- Q. Do you know how often these others went?—A. No; I don't know more than once.
- Q. You know that one person went there twice or three times?—A. Yes, sir.
- Q. That is all you know?—A. Yes, sir.

By Mr. RICHEY:

- Q. After these slips were given by Lee, where did they go?—A. Right there, between Pine and Olive.
- Q. Where the registration place was?—A. Yes, sir.
- Q. You would see them go in there; did you see them come out?—A. Yes, sir; I went outside on purpose to see them.

By Mr. ROWE:

- Q. They were all colored people?—A. All that were dealing with Lee were.
- Q. You never say anybody else dealing with Lee except the colored people?—A. That is all.

By Mr. RICHEY:

- Q. Did you see a gang of white men on the east side of Third?—A. No, sir; I did not.

At this point, 12.50 p. m., a recess was taken until 2 p. m.

AFTERNOON SESSION.

J. N. CONRAD, of lawful age, being produced, sworn, and examined on the part of the contestant. deposeth and saith:

Direct examination by Mr. RICHEY:

Q. Where do you live?—A. No. 1007 Collins street.

Q. That is in the second precinct, Fourth Ward? What is your business?—A. I work around; worked at the World's Fair for Mr. Donovan on the textile building.

Q. How long have you lived at this present place of residence?—A. A little over three years.

Q. Are you well acquainted in that locality?—A. Tolerably well; yes, sir.

Q. Do you know the premises 1026 Collins street?—A. 1026; yes; I have been in there several times.

Q. What sort of business is carried on at that number?—A. Well, it is a blacksmith shop underneath.

Q. On the first floor?—A. Yes, sir.

Q. Is there a second floor?—A. Yes, sir.

Q. Is there a third floor?—A. No, sir; no; I don't think there is a third floor; I am satisfied there isn't.

Q. Were you ever up on the second floor?—A. Once; one time.

Q. When was that?—A. Well, it was a month or so ago.

Q. Was it before or after the election?—A. It was before the election.

Q. Before the election of November 4, 1902?—A. Yes, sir.

Q. How long before election?—A. Well, it wasn't more than about a week before election; three or four days.

Q. How many rooms are there on the second floor?—A. I only seen one; I think there is a little small room in the back; I didn't go in there; I didn't go in that.

Q. Was there any beds or arrangements for men to live in the room over the blacksmith shop, that you were in?—A. No, sir.

Q. That, you say, was just a day or so, three or four days—A. Three or four, four or five days—

Q. Before Tuesday, November 4, 1902?—A. Yes, sir.

Q. Do you know Thomas Kelly?—A. No, sir.

Q. Joe Laughlin?—A. No, sir.

Q. Do you know J. McCarthy?—A. No, sir.

Q. Do you know G. E. McManns?—A. No, sir.

Q. Know G. E. Murphy?—A. No, sir.

Q. Do you know Charles Mehlig?—A. No, sir.

Q. James Madden?—A. No, sir.

Q. John Murphy?—A. John Murphy?

Q. Yes.—A. No, I don't.

Q. I will ask you whether any of these 8 men I have spoken to you about resided or lived or had their home at 1026 Collins street a few days before the election of November 4 last?—A. No, sir.

Cross-examination by Mr. FRUMBERG:

Q. What is your name?—A. J. M. Conrad.

Q. What is your business?—A. Well, I work for the city; I have been working for the World's Fair.

Q. What are you doing now?—A. At present I ain't doing anything.

Q. Nothing now?—A. No, sir.

Q. When did you last have employment?—A. About two weeks ago.

Q. Where do you live?—A. 1007 Collins street.

Q. You say you called at the premises, 1026 Collins street?—A. Yes, sir.

Q. Will you state the object of your visit to those premises?—A. I went there to see a party I was acquainted with.

Q. Who was the party?—A. It was Mr. Tom Kinney.

Q. Mr. Tom Kinney?—A. Yes, sir.

Q. What business is Tom Kinney engaged in?—A. He is engaged in the saloon business.

Q. Where?—A. Ninth and Pine.

Q. What business did you have with him there?—A. I had a little object—with a boy that I had.

Q. What was the object?—A. Well, he got into a little bit of trouble, and I wanted to see him.

Q. Yes: what was the trouble?—A. Well, he got to cutting up, and a policeman arrested him, and I wanted to get him out, if I could.

Q. You went to Tom Kinney to have Kinney help you?—A. I went to see whether he was there or not.

Q. What was the object of your visit to Tom Kinney?—A. That was it.

Q. You went to Tom Kinney to have Tom Kinney try to get the boy out of trouble?—A. Because he was in the house of delegates.

Q. You know Tom Kinney very well, do you not?—A. Well, I am not personally acquainted with him.

Q. You know who he is by reputation?—A. Yes, sir.

Q. You have met him?—A. Yes, sir.

Q. Spoken to him?—A. Yes, sir.

Q. Do you know his brother, Mike Kinney?—A. I would know him if I met him.

Q. You know he was a candidate in the last election for constable in the Fifth district, do you not?—A. Heard so.

Q. When you called upon Tom Kinney you knew that to be a fact, did you not?—A. No, sir.

Q. Did not?—A. No, sir.

Q. When did you ascertain that fact?—A. I didn't ascertain it until about election.

Q. Until when?—A. About election.

Q. And you went to Tom Kinney?—A. Yes; a few days before election.

Q. To have him help you get your boy out of trouble?—A. Yes, sir.

Q. You didn't know then that his brother, Mike Kinney, was a candidate on the Democratic ticket for constable in the Fifth district justice of the peace court?—A. No, sir; I did not.

Q. How long did you remain in the rooms 1026 Collins street?—A. I judge about five or ten minutes.

Q. Where were you; where did you go in there?—A. I went up the front stairs.

Q. What did you do when you got there?—A. I just asked one party there if he could tell me where—I didn't know that Mike Kinney then or Tom Kinney kept a saloon—never had been aware where he kept the saloon on Pine street until I went there to find out; I knew he kept one on Third and Carr. I didn't know where he had moved it to.

Q. Do you know, as a matter of fact, that he has a saloon on Pine street?—A. Well, sir; yes, I do.

Q. You will swear he has a saloon on Pine street?—A. I will swear that that is what I was told.

Q. Don't you know, as a matter of fact, that he has no saloon on Pine street?—A. No, sir; I don't.

Q. Did you see Kinney at these premises?—A. No, sir; I didn't.

Q. Didn't?—A. No, sir.

Q. Whom did you see there?—A. I saw a gentleman there, and I asked if he could tell me where Tom Kinney's saloon was.

Q. Yes?—A. He said Ninth and Pine. I went there to ascertain, or see whether I could see him.

Q. Went to Ninth and Pine?—A. Yes, sir. I saw the bartender; I think that was the night of their meeting; I got my boy out without any trouble.

Q. Did Tom Kinney help you get the boy out?—A. No, sir.

Q. Didn't?—A. Never did see him.

Q. You are a little sore because he didn't help you?—A. No, sir; I didn't need to ask him. I think he would have helped me if I had seen him; I got him out the next day without any trouble.

Q. You are a Republican, I suppose?—A. Me?

Q. Yes.—A. Well, now, I vote for the man I think is best.

Q. What is your politics?—A. My politics?

Q. Yes.—A. I was part of the time as a Democrat and part of the time as a Republican. I vote for the best man.

Q. You are a sort of a mixed breed; is that the idea?—A. I vote for the best man; if I see a man is a good man.

Q. What did you see on the first floor of 1026 Collins street when you went there?—A. I seen several gentlemen sitting around there—two or three of them.

Q. Downstairs?—A. No, sir; upstairs.

Q. Upstairs?—A. Yes, sir.

Q. What were they doing there?—A. Well, I never ascertained what they were doing: just merely sitting there.

Q. Will you swear under oath that Thomas Kelly and Joe Laughlin, J. McCarthy and G. E. McManus, G. E. Murphy, Mr. Mehlig, Mr. Madden, and John Murphy, the names mentioned by Mr. Richey, attorney for the contestant, did not live there at the time you went there?—A. Couldn't possibly live there.

Q. Will you swear under oath, of your own personal knowledge, that they didn't live there when you went there?

Mr. RICHEY. I submit the witness has answered the question.

Mr. FROMBERG. I ask him to answer it again.

Mr. RICHEY. We object to the repetition of the question for that reason.

A. I don't know any one of the gentlemen, as far as that is concerned. I don't know any one of them.

Q. Do you know whether or not they lived in those premises?—A. I am sure——

Q. Can you swear they didn't?—A. I couldn't say they didn't live there, but they had no conveniences there.

Q. You mean to swear that they didn't live there?—A. I don't know as I——

Q. It is merely an inference on your part, isn't it; merely speculation on your part?—A. Oh, no; no speculation whatever.

Q. You are testifying under oath, and will say that these men did not live in those premises during the months of October and November, 1902?—A. I couldn't see how they could live there.

Q. Now, that is not the question. Will you swear yes or no——

Mr. RICHEY. Well, you don't have to swear yes or no.

A. I couldn't do that. I couldn't do it to save my life.

By Mr. FROMBERG:

Q. Who brought you here?—A. A subpoena.

Q. A subpoena?—A. Yes, sir.

Q. Did you have any conversation with anybody about this contest?—A. Not a word.

Q. Never had any conversation at all?—A. Not a single solitary word.

Q. Did you know that you were being subpoenaed in this case?—A. No, sir.

Q. Knew nothing about it?—A. No, sir.

Q. Nothing about any proceeding of this kind pending?—A. No, sir.

Q. Never knew until to-day?—A. Not until I was subpoenaed yesterday.

Q. You read the newspapers, do you not?—A. Very seldom I get the chance.

By Mr. RICHEY:

Q. But there were no beds or no cots or anything of that kind; just a naked room there?—A. Yes, sir; where I was.

Q. No arrangement for anybody to stay?—A. No, sir.

Q. Or for them to sleep there? If they did sleep there, they slept on the floor without the conveniences of life?—A. Yes, sir; it looked to me like it.

Mr. FROMBERG. Is that the only time you ever called at those premises?

A. Yes, sir.

Q. The only time?—A. I have been in the blacksmith shop several times.

Q. That is the only time you went upstairs?—A. That is the first and last time I went upstairs.

ARTHUR LERUEZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. RICHEY:

Q. What is your name?—A. Arthur Lernez.

Q. Where do you live?—A. 320 Market.

Q. That is the seventh precinct of the Fourth Ward. Are you a man of family?—A. Yes, sir.

Q. Does your family live at 320 Market?—A. No, sir; they live in South St. Louis. That is my residence.

Q. Which is your residence?—A. 320 Market.

Q. What is your business?—A. Photographer, sir.

Q. Where is your photographic establishment?—A. 320 Market.

Q. How long have you been doing business there?—A. About sixteen years.

Q. Were you in the city of St. Louis on Tuesday, November 4, election day?—A. Yes, sir.

Q. Where were you on that day?—A. Part of the day I was at Twelfth and St. Charles.

Q. Twelfth and St. Charles?—A. Yes, sir.

Q. Whereabouts on Twelfth and St. Charles?—A. Oh, about 100 feet west of Twelfth street on the north side.

Q. Do you know where the polling place was on that day, at 1206 St. Charles street?—A. Yes, sir; I was right opposite.

Q. You were across the street opposite that polling place?—A. Yes, sir.

Q. On what floor were you?—A. Second floor.

Q. In what sort of a building?—A. Well, it is a stable. Underneath is a stable and upstairs is just a hayloft; there is grain and stuff stored there.

Q. Just a place for feed?—A. Yes, sir; a storeroom.

Q. About how wide is St. Charles street at that place?—A. Thirty-five or 40 feet, in my judgment.

Q. Now, did you have a photographic camera with you?—A. Yes, sir; looking right out of the window.

Q. You were in the loft of that barn, on the second floor of the building?—A. Yes, sir.

Q. Were there windows?—A. Two windows.

Q. Looking out upon the polling place?—A. Yes, sir. One was more like a door, because it was level with the floor, and the other one was a window—the one I was looking out of.

Q. Now, what did you go to that place for with your camera on that day?—A. Well, the understanding was for me to photograph groups as I was to be told to do when the parties would come.

Q. Groups of people?—A. Yes, sir; when certain groups were there I was to act under their instructions. I didn't know what groups they were.

Q. Groups of people going into the polling place?—A. Yes, sir.

Q. At 1206 St. Charles street?—A. Yes, sir.

Q. You were to photograph those groups?—A. Yes, sir.

Q. As they went in there from time to time, as you were directed?—A. Yes, sir.

Q. What time of day was it that you went in there?—A. About half past 9, I believe.

Q. In the morning?—A. Yes, sir.

Q. Who went with you when you went up there?—A. Well, that man Lutz carried my apparatus and luggage up there.

Q. He was the gentleman that owned the barn?—A. Yes, sir; the proprietor who runs it, I believe.

Q. He took you up there?—A. Yes, sir.

Q. When you got up there with your camera, what did you do?—A. I set the camera up. I knew there were to be photographs across the street, and I got ready for it.

Q. That is, you appreciated the fact that it was voters or pretended voters you were to photograph?—A. Well, they were supposed to be groups. The gentlemen were to come and give me instructions.

Q. What, if anything, did you do to the window?—A. I just put cardboard there, because the sun striking on that side at that time of day, you know; I put cardboard near the camera to shield it from the light.

Q. Did you cover the whole window with the cardboard?—A. Well, part of it; there was a hole where the lens had to go through and I could look through.

Q. A hole where the lens of the camera had to go through?—A. Yes, sir.

Q. When the lens of the camera were through that hole, did the camera look right out toward the polling place, 1206 St. Charles?—A. Yes, sir.

Q. Well, how long did you stay there?—A. Stayed there until about noon.

Q. Now, tell us what happened about noon.—A. Well, I was looking out of the window, and there was four or five young men came up; as I thought it was some of the gentlemen that was to come and relieve me so I could go out to lunch—take care of the apparatus—and I said, "How do you do, gentlemen?" and I turned; didn't wait until they were up; I seen a head coming up and I walked toward the camera, and as soon as they got to the landing—they came quicker than I could expect it—they knocked me down and kicked me three or four times. I got up once or twice and they kicked me until I was senseless.

Q. Knocked you down and kicked you?—A. Yes, sir.

Q. How many times did they knock you down?—A. The third time I didn't get up any more. There was one man took the camera and knocked me on the head with it; that finished me. I didn't get up any more; I was senseless.

Q. Senseless?—A. Yes, sir.

Q. Became unconscious?—A. Yes, sir.

Q. What did he hit you with?—A. That was with the camera; before, it was with their fists, and kicking me when I would be down.

Q. Kicked you while you were down?—A. Yes, sir.

Q. How many of these gentlemen were there?—A. I don't know: I seen only four of them. There was five, though. The thing was done so quick, I didn't expect anything of the kind.

Q. What did you do with the camera?—A. Broke it all to pieces. Broke everything to pieces.

Q. Now, did they do any talking up there?—A. Well, that is the only time; when I got up the second time they were kind of—

Q. Got up the second time?—A. I got up. After they had knocked me down the first time I got up a little bit and I said, "Do you want to kill me?" and then one of them knocked me down with the camera.

Mr. RICHEY. Please put the laughter on the part of the attorney for contestee into the record.

Mr. FROMBERG. It is indeed very laughable.

Q. When you became conscious—A. Well, that is—

Q. Were they there in the room?—A. No, sir; there was nobody in the room. I don't know what time it was when I became conscious. I must have laid there a little while, and when I again opened my eyes there was a woman washing my face. I was full of blood about there. I could see with this eye.

Q. With the right eye?—A. Yes, sir; a little.

Q. Could you see with your left eye?—A. No, sir; I didn't use it for three weeks. The eye was cut and they thought I would lose it.

Q. What caused the damage to your eye?—A. Well, those blows, and then there must have been a kick; others helped with a kick. I guess I got a kick under the eye. All these pieces around the eye have been sewed up. The orbit was all out.

Q. The wound in your eye, you mean, has been sewed up?—A. Well, it has been healed up, I mean.

Q. Were you taken out of this barn after this?—A. Yes; there was a woman there—my head was cut, the scalp.

Q. Were your clothes torn?—A. Well, no, not to amount to anything.

Q. You say, when you came to there was a woman washing your wounds?—A. Yes, sir.

Q. Do you know who the woman was?—A. I believe they called her Mr. Lutz's daughter.

Q. That is the daughter of the proprietor of the stable?—A. That is what I heard.

Q. The stable where you were?—A. Yes, sir.

Q. Did you know any of those gentlemen?—A. No, sir.

Q. Any of these gentlemen, I mean, that assaulted you in this high-toned, political way?—A. No, sir; I didn't have any occasion to see them or anything.

Q. They struck you first?—A. Yes, sir; I was—

Q. From the front?—A. I was walking toward the camera.

Q. Away from them?—A. Yes, sir; this time they struck me behind and in front.

Q. How many of the brave gentlemen were there?—A. Four or five.

Q. Was the eyesight of your left eye good up to the time of this assault upon you?—A. Oh, yes; I could use my eyes very well.

Q. How long was it before you regained the use of your right eye?—A. About three weeks afterwards. The left eye was the wounded one.

Q. What became of the camera?—A. Well, the detective—two detectives picked up part of it, the pieces. I have only portions of it; most was thrown in the street, I suppose, and other pieces carried away. I only got some pieces.

Q. Where did you see the detectives?—A. I seen them when they took me down; took me to the dispensary and then to the hospital.

Q. How did they learn that you had been assaulted? Did you tell them?—A. No, sir; I was unconscious when they came up.

Q. Were they detectives of the city detective force?—A. Yes, sir.

Q. Did they come up to the room to get you?—A. Yes; they told me to put on my clothes; asked me a number of questions, but I was too—I couldn't answer very well; I wasn't myself, exactly.

Q. What was the trouble with you?—A. Well, I was—after being knocked down that way—

Q. Dazed?—A. Yes; dizzy.

Q. Groggy?—A. Yes, sir.

Q. How did the detectives learn you had been assaulted?—A. I couldn't tell, sir; I don't know. Everybody could hear the trouble; they broke the camera and broke all the apparatus I had there.

Q. How valuable was the camera?—A. The whole outfit was \$147; that is what I lost.

Q. What was the size of the camera?—A. Ten by 12.

Q. Ten by 12 inches?—A. Yes, sir. That is the plate. The camera was larger than that.

Q. How much, about, did it weigh?—A. I don't know: 35 or 40 pounds.

Q. You say they struck you on the head with this 35 or 40 pound camera?—A. Yes, sir. They happened to hit with the side of the camera, and the camera broke, you know. That kept the blow off.

Q. If they had hit you on the head with the camera, there would have been one photographer less in the world?—A. I think so: yes, sir.

Q. Where did you go from that place? Where did the detectives take you?—A. To the city dispensary.

Q. Where was that?—A. That is Eleventh and Market.

Q. About how far from the place where your assault occurred?—A. It must be four or five blocks.

Q. How long were you at the dispensary?—A. Oh, just a few minutes. The doctor said he couldn't attend to the case: bandaged me to stop the blood a little, and they sent me to the hospital.

Q. What doctor was it that bandaged your wound at the city dispensary?—A. I couldn't say. I never was there before.

Q. Where did you go from the city dispensary?—A. To the hospital, sir.

Q. Where is that?—A. That is Seventeenth and Chestnut.

Q. How far was it from the city dispensary to the city hospital?—A. Must be eight or nine blocks.

Q. That is a public hospital for the city?—A. Yes, sir.

Q. When they got you to the city hospital, what did they do to you?—A. I was taken upstairs and put on an operating table and they dressed my wounds.

Q. How long did it take them to dress your wounds?—A. Oh, not—half an hour.

Q. Who dressed your wounds?—A. I don't know the name of the doctor.

Q. One of the doctors at the city hospital?—A. Yes, sir; one nurse and another old gentlemen attended to the table, that is all.

Q. A nurse and an assistant?—A. Yes, sir.

Q. After your wounds were dressed where did you go?—A. They sent me to a ward in the hospital. I believe they detained me as a prisoner: I don't know why, but for a while, any way.

Q. Did the detectives who came up to the stable where you were take you to the hospital?—A. Only one, sir.

Q. He took you—that one took you to the—A. To the hospital: yes, sir.

Q. Did they both go with you to the—A. To the dispensary?

Q. Yes?—A. I believe only one of them. The other one gave his instructions.

Q. In your condition one detective was sufficient to take you those two trips?—A. Oh, yes.

Q. How long were you detained at the city hospital?—A. Until about 7 or 8 o'clock.

Q. At night?—A. Yes, sir.

Q. From the time that you were assaulted, about noon, until 7 or 8 o'clock at night you were at the city hospital?—A. Yes, sir.

Q. Then where did you go?—A. Some of my friends came and took me away, and then I went home.

Q. How long did you wear those bandages that were put on your wounds?—A. About three weeks, sir.

Q. How long was it before the discoloration on your face, from the pounding that they gave you and the kicks, disappeared?—A. About five or six weeks.

Cross-examination by Mr. FROMBERG:

Q. Who engaged you to make those photographs?—A. Well, it was one of Mr. Wagoner's employees. I went up there for another photographer that couldn't go. Mr. Wagoner was busy.

Q. Which Wagoner?—A. Mr. George C. Wagoner.

Q. Candidate for Congress?—A. Yes, sir.

Q. The contestant in this case?

Mr. RICHEY. Yes: we admit that we did it.

Q. What arrangement did you have?—A. Well, the gentleman was busy and he just told me what was to be done and how I was to get paid for it.

Q. What was the object of having those photographs taken?—A. I was to get instructions the next morning by two gentlemen who were to come there.

Q. Who were they?—A. I didn't see them. Otherwise, if they had come I suppose I wouldn't have been assaulted.

Q. Who assaulted you?—A. I can't tell. Four or five.

Q. Can't say who they were?—A. No, sir.

Q. Do you know?—A. I can't say at all; except there was four or five young men. They were not old men.

Q. Did anybody know you were there besides Lutz and Wagoner?—A. Well, yes; they could see me from across the street.

Q. Where were you—who could see you?—A. Anyone that was standing around there.

Q. They could see that you were across the street?—A. There was always somebody hanging around there.

Q. That was the polling place?—A. Yes, sir.

Q. The place where they cast the ballots?—A. Yes, sir.

Q. They were doing that there? Doing that thing there, were they not, at that time?—A. Yes, sir.

Q. Casting ballots?—A. Yes, sir.

Q. Voting?—A. I suppose so, sir.

Q. Did you observe anything irregular going on at that polling place on that day?—A. No, sir.

Q. When you emerged from the house and were about to take the photographs—

Mr. RITCHEY. He didn't emerge from the house until he was taken down.

Q. Describe the manner in which you were assaulted?—A. I heard somebody coming up the stairs, like in any other place, and I said "Good morning, gentlemen," and I walked toward the camera and I was assaulted. I didn't see the people at all. Had no chance to see anything.

Q. You don't know who they were?—A. No, sir.

Q. Who took you to the hospital?—A. Well, one of the detectives.

Q. What was his name?—A. I don't know; I saw it in the paper, but I can't tell.

Q. You have never taken the pains to ascertain what his name was?—A. No, sir.

Q. You say you were detained?—A. Yes, sir.

Q. At the hospital?—A. Yes, sir.

Q. Did they explain the reason for that?—A. No, sir; I can't tell the reason. I was too weak at the time. I was very sore in my ribs.

Q. Don't you know the reason they detained you was because of the fact that they desired to apprehend those who had assaulted you, and to have you testify against them and prosecute them?—A. Well, some people said that, but I said I wasn't going away; I was always in St. Louis, and that there was no good in detaining me.

Q. Don't you know that that is the custom in St. Louis?—A. Well, I didn't object to that; I couldn't, anyway.

Q. Isn't that the custom in a case of that character?—A. Yes.

Q. You knew that that was the custom, did you not?—A. Well, at the time I couldn't tell.

Q. What were the questions put to you by the detectives when they discovered you in that condition?—A. They wanted to know who had hired me to come there.

Q. Yes; what else? Did they ask who assaulted you?—A. Yes, sir.

Q. What else did they ask you?—A. That is about all I can remember.

Q. Did they promise to prosecute those assailants if they captured them?—A. No; they didn't mention that. I don't believe. I don't remember.

Q. Didn't mention it?—A. No, sir; I don't think so.

Q. Didn't make any effort to find out who it was that assaulted you?—A. No, sir; I wouldn't know them if I seen them.

Q. Do you know the object of this assault?—A. Well, I didn't know; I suppose the object was because I was photographing—

Q. If you know?—A. No, sir; I don't know the object.

Q. You say that you were in a position to distinguish what was going on at the polling place?—A. Yes, sir; because there was a cut in the cardboard; they could see me and I saw them.

Q. You saw nothing irregular there?—A. No, sir.

Q. You saw no illegal voting there?—A. No, sir. I wasn't there for that purpose; I was there to photograph groups if I was told to do so; that's all.

Q. How long have you been a photographer?—A. Well, at this place—I have been nearly all my life photographing.

Q. Where do you reside?—A. 330 Market.

Q. You reside there?—A. Yes, sir.

Q. You have your place or business there?—A. Yes, sir.

Q. You are a man of family?—A. Yes, sir.

Q. Have you ever been engaged in photographing polling places before?—A. No, sir; never before.

Q. This was your first venture?—A. Yes, sir.

Q. And you were engaged by Mr. Wagoner?—A. Yes, sir.

Q. The only persons who knew you were there were Mr. Wagoner and Mr. Lutz?—A. Mr. Lutz.

Q. They knew that you were there and they knew what you were there for?—A. Yes, sir.

Q. They are the only persons that knew this?—A. Well, lots of other people—I don't know what was going on in the stable below; they knew there was a photographer up there.

Q. Didn't know what was going on upstairs?—A. No, sir; but they could see from across the way that they were getting photographed.

Q. You had no conversation with anybody else regarding the object of your visit to this place, did you?—A. No, sir.

Mr. RICHEY. The repeaters, if any they were, the people who were voting, if any there were—

(Objected to as incompetent.)

Mr. FROMBERG. That is palpably incompetent, and I am surprised that Mr. Richey, an alleged lawyer, should ask a question of that kind.

Mr. RICHEY. Oh, well, leave out the "alleged:" you have been very gentlemanly so far, don't break your record now.

Mr. FROMBERG. I am absolutely surprised, Mr. Richey—

Mr. RICHEY. Well, address the record.

Mr. FROMBERG. That you should ask a question of that character. The witness did not mention the word repeater in his direct or cross examination.

Mr. RICHEY. I will take the responsibility for the form of the question.

Mr. FROMBERG. I beg your pardon for calling you "alleged." I wish to withdraw that.

(On request of counsel for contestant the uncompleted question was read as follows:

"The repeaters, if any there were, the people who were voting, if any there were—")

Mr. RICHEY. Who were across the street within the focus of your camera could see that there was a photographer up there?

A. Yes, sir.

Q. And if they were incensed or angered or were afraid that their pictures would be taken and they would be shown up or caught in any illegal action that they might be taken in or caught in by your camera could very easily come upstairs and make this attack upon you, could they not?—A. Yes, sir.

Q. You were in sight of these people across the way?—A. Yes, I was in sight. They were looking at me all morning.

Mr. FROMBERG. Were there any repeaters there?

A. No, sir; I didn't see any.

Q. You didn't see any?—A. No, sir.

Q. Was there anything irregular in their demeanor?—A. No, sir.

Q. That was a polling place for the purpose of having citizens cast their ballots there, was it not?—A. Yes, sir.

Q. And so far as you saw and know these citizens were discharging their duty, were they not?—A. I suppose so; yes, sir.

Q. When you say that the reason why you were assaulted was because of the fear that they would be caught in some illegal act, that is merely an inference on your part, is it not?—A. No, sir; I didn't exactly say that. I thought that they objected to having a photograph taken there at the polling place; that is all.

Q. And so far as you saw, and so far as you know—so far as you are able to determine, there was nothing wrong or illegal or irregular in anything that transpired at the polling place.—A. Not to my knowledge.

Q. While you were there?—A. Not to my knowledge.

Mr. RICHEY. You were a stranger?

A. Yes, sir; I was just there for business.

Q. Did you go there for the purpose of detecting irregularities?—A. No, sir; I didn't really know what was the purpose.

Q. You are an expert photographer?—A. Yes, sir.

Q. And not an expert in detecting irregularities and frauds at election?—A. No, sir; I was just there in a business way.

Q. Merely in a business way?—A. Yes, sir. I would be paid for the number or negatives I made. The more I would make, the more business.

Mr. FROMBERG. You are a citizen of the United States?

A. No, sir.

Q. Not naturalized?—A. No, sir.

Q. Never cast a ballot?—A. No, sir.

Q. Never exercised the right of suffrage?—A. No, sir.

Q. Never have for any candidate in the country or in the municipality?—A. No, sir.

Q. You have lived here how long?—A. About seventeen years.

Q. Seventeen or eighteen years?—A. Yes, sir.

Q. Do you consider yourself able to determine whether or not a polling place—you know what a polling place is?—A. Oh, yes.

Q. Are you able to determine whether anything irregular or illegal is being perpetrated in a polling place?—A. No, sir; I can't say.

Q. You have no knowledge of those things?—A. No, sir; I have no knowledge of the rules and regulations.

Q. You say there was a cardboard at your window?—A. Yes, sir.

Q. How large a hole did you have in the cardboard?—A. I suppose 5 or 6 inches. There were two holes. One of them was 4 by 5 or so.

Q. How large a cardboard was this?—A. It was a sheet of cardboard about half the size of this table.

Q. Practically cover the window?—A. Yes, sir; the top of the window.

Q. And the bottom was exposed?—A. Not quite exposed. The two cardboards didn't join and you could see the camera and see the people behind you.

Q. About how much space was there between the cardboard?—A. I can't say. Well, it was crooked; there might be three or four inches.

Q. About three or four inches?—A. No, sir; enough to see the people behind it.

Q. How many feet was there from the polling place to the place where you were located?—A. From the focus of the lens I would suppose about 50 feet.

Q. Fifty feet across the street?—A. Yes, sir.

Q. Do you testify that those persons situated in the polling place were able to determine what you were doing through this small crack or space of 2 or 3 inches, 50 feet away?—A. The light would shine on the lens and people would walk around and look up to the window. My object in looking was to see if they were in groups; I didn't see any groups there, only saw half a dozen people or so.

LOUIS P. ALOE, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. What is your age?—A. Thirty-five.

Q. How long have you lived in the city of St. Louis?—A. Thirty-five years.

Q. You are engaged in business here? You are the head of a very large business establishment in St. Louis?—A. Yes, sir.

Q. What is that business establishment?—A. We are engaged in the optical, mathematical, surgical, and general scientific instrument business.

Q. What is the name of the concern?—A. A. S. Aloe Company.

Q. You are president of the company?—A. Yes, sir.

Q. How long have you been president of it?—A. Since 1893.

Q. Where do you live?—A. I live at 4535 Maryland avenue.

Q. You are one of the members of the board of election commissioners?—A. Yes, sir.

Q. Of the city of St. Louis?—A. Yes, sir.

Q. Who are the other members?—A. James J. McCaffery is chairman, and John M. Wood; those are the other members.

Q. And those two gentlemen with yourself constitute the entire board?—A. The entire board; yes, sir.

Q. That is a board that is appointed by the governor of the State under the laws of the State of Missouri?—A. Yes, sir.

Q. How long have you been one of the election commissioners?—A. About eight months, I think.

Q. You are the Republican member of that board?—A. Yes, sir.

Q. The other gentlemen, constituting the majority of the board, are Democrats?—A. Democratic members; yes, sir.

Q. Who is the secretary of the board?—A. Mr. Kunz—Louis Kunz.

Q. I will ask you to examine the book which I now show you, and ask you to state of what that book is made up.—A. This is the complete printed registration of the qualified voters of the Twelfth Congressional district for the election of November 4 and thereafter, 1902.

Q. By whom is it prepared?

Mr. FROMBERG. Is that the official list?—A. That is the official list.

Q. By whom was it prepared?—A. This list is prepared in this manner: Under the laws the board of election commissioners are required to publish these sheets. They are all separate; they have been attached here evidently for the convenience of the contestant. We are required to publish those sheets singly.

Q. That is a sheet for each voting precinct?—A. Yes, sir; the verifications being made in the precincts by the judges and clerks; from the verification book prepared by them, these sheets were printed.

Q. Then these sheets in this book I now exhibit to you are composed of one sheet or page for each voting precinct in the Twelfth Congressional district?—A. According to the old lines.

Q. That is, the Twelfth Congressional district as the district is made up for the Fifty-seventh (present) Congress of the United States?—A. Yes, sir.

Q. Were these sheets printed under the direction of the board of election commissioners?—A. They were: yes, sir.

Q. They were published and uttered by the board of election commissioners acting officially?—A. Published and distributed for the benefit of the citizens, acting officially, by the board of election commissioners.

Q. In compliance with the law of Missouri made to cover such cases?—A. Yes, sir. You understand me when I say those are official lists: they are the official published lists.

Q. Yes.—A. The only lists that are published by the board of election commissioners.

Mr. RICHEY. I will ask to have this book marked by the notary.

Said book is marked as follows, on the inside of the first cover: "George C. R. Wagoner v. James J. Butler, Exhibit C, of January 3, 1903, on the part of contestant. J. T. Sanders, notary public."

Cross-examination by Mr. FROMBERG:

Q. I will ask you, Mr. Aloe, whether or not Exhibit C contains the names of all the duly qualified voters of each precinct of the Twelfth Congressional district?—A. I should say not.

Q. Do you know of your own knowledge that names appear upon the registration books in various precincts of persons who are entitled to vote and whose names do not appear in Exhibit C?

(Objected to as calling for a conclusion of the witness on a question of law.)

Mr. FROMBERG. I ask of his own knowledge.

A. I don't know that of my own knowledge. I should say it is quite likely.

Q. In your opinion does that condition prevail?

(Objected to as indefinite, irrelevant, and immaterial.)

Q. I am asking you in your capacity of election commissioner?—A. I would answer that by stating that it is most likely that a great many of those sheets are incorrect.

Q. A great many of those sheets are incorrect?—A. Yes, sir.

Q. When you say a great many of those sheets are incorrect, what do you mean?—A. Well, I mean this: That those sheets are published by us from the verification books prepared by the clerks acting in the precincts on a board of revision. They are an exact facsimile of the verification books as turned in to the board of election commissioners by the judges and clerks.

Q. Then how do you account for the surplusage of names of duly qualified voters appearing upon the registration books of various precincts?—A. Incompetency upon the part of clerks as well as judges.

Q. That is one of the conditions that exist?—A. It does exist: yes, sir.

Q. Do you know anything about the first precinct of the Twenty-second Ward, of the variances there between the lists and the registration books?—A. Nothing, to my knowledge.

Q. Have you discussed this matter with your colleagues, both of the other commissioners?

(Objected to as irrelevant and immaterial.)

A. I have not.

Q. What is the information you have on this subject, if at all?—A. With reference to the question of whether the printed lists of the first precinct of the Twenty-second Ward is a correct copy of the duly qualified voters of the precinct?

Q. Yes, sir.—A. I haven't any knowledge of that; I haven't investigated that matter.

Q. Don't you know as a matter of fact that there is a variance, and a material variance?—A. I don't know that of my own knowledge; I know this of my own knowledge, that the published reports as to there being more votes cast in that particular precinct than were registered is a mistake, but I have never made any comparison with the qualified voters according to the official registration as compared to this particular published sheet.

Q. Have you investigated that condition of affairs in that precinct?—A. I have made no investigation.

Q. Has any investigation of that ever been made by the election commissioners?—A. There has none, to my knowledge.

Q. Have you investigated that same condition in any other precinct of any other ward in the Twelfth Congressional district?—A. As to the accuracy of these lists?

Q. As to their accuracy and as to the variances which have occurred.—A. I think there is only one precinct in the entire city I had occasion to investigate.

Q. Which one was that, Mr. Aloe?

Mr. RICHEY. Was that in the Twelfth Congressional district?

A. That was not in this district.

Q. You know, though, as a matter of fact that material variances have occurred in that respect?—A. There have, in the city of St. Louis.

Q. In the Twelfth Congressional district?—A. I couldn't say that of my own personal knowledge.

Q. You won't swear that they don't exist, however, will you?—A. As I stated, there was but one I had occasion to compare and that was in the Eleventh district, and that would be the only precinct I could testify to as to my knowledge.

Q. And you won't swear—you are not prepared to swear—that that condition does not apply?—A. I am not.

Q. In this district?—A. No, sir.

Q. Under the statutes of Missouri you are the sole Republican election commissioner appointed by the governor for the city of St. Louis, are you not?—A. Yes, sir.

By Mr. RICHEY:

Q. These registration sheets comprised in this Exhibit C are, however, the official lists of the names of the voters of the different precincts of the Twelfth Congressional district of Missouri as authorized, printed, and published, and officially uttered for use at the election held on November last, 1902, are they not?—A. They are.

Q. They are the only lists of that kind?—A. Yes, sir.

By Mr. FROMBERG:

Q. What is the reason that these lists are prepared—uttered, as my friend Richey says?—A. The purpose of the publication of the registration is generally understood to be for the guidance, first, of the—I should take it—the workers, to permit them to ascertain who is qualified to vote, and also for the benefit of citizens at large, that they may ascertain in advance that they are qualified.

Q. But that instrument is not absolutely conclusive?—A. It is not.

By Mr. RICHEY:

Q. Isn't it true that some of those sheets were uttered only the day before the election?—A. That is true, yes. In several precincts of the Fourth Ward, on Sunday, two days prior to the election, the revision was still going on. They didn't go to the printers until late that particular Sunday afternoon. It is fair to presume that they didn't go to press until the day before the election.

Q. Mr. Aloe, how many days was registration open to voters in the different precincts of the Twelfth Congressional district immediately prior to the election of Tuesday, November 4, 1902?—A. One day.

By Mr. FROMBERG:

Q. Were there other places duly authorized and empowered to receive registration in the city of St. Louis of citizens desiring to vote at the ensuing election?—A. Prior to precinct registration there was constantly at the city hall, at the office of the board of election commissioners.

Q. That condition exists the entire year around, does it not?—A. The entire year round, with the exception of immediately before a primary election, or a general election, or municipal election.

Q. And their rights are not restricted by this one day, as suggested in your direct examination?—A. No, sir; not at all.

By Mr. RICHEY:

Q. After the registration permitted in each precinct to the people of that precinct at the registration time, just prior to the general election, was the office of the board of election commissioners open for the registration of voters at the city hall?—A. Not after the day allotted for precinct registration. The space intervening between that and the day of election was and is so short—it was provided by law—that only sufficient time elapses in order to get out these printed lists and get ready for the election.

MINNIE LUTZ, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. RICHEY:

Q. How old are you, Minnie?—A. Sixteen.

Q. Where do you live?—A. 1208 Washington avenue.

Q. Do you live there with your father?—A. Yes, sir.

Q. What is your father's name?—A. John Lutz.

Q. What is your father's business?—A. Moving man.

Q. Is there a stable to 1208 Washington avenue?—A. Yes, sir.

Q. On what street does that stable front?—A. St. Charles street.

Q. Do you know where 1206 St. Charles street is?—A. No, sir; I don't.

Q. Were you at this stable on election day?—A. No, sir; I was in the house.

Q. You were in the house?—A. Yes, sir.

Q. Did you see the photographer out there at the stable on that day, all covered with blood?—A. Yes, sir; I seen him out there. He was all covered with blood.

Q. Now, tell us what time of day it was that you saw him?—A. It was about half-past 12, I guess, or 1 o'clock.

Q. On election day?—A. Yes, sir.

Q. Where was he?—A. He was in the downstairs part of the stable.

Q. Downstairs part of the stable?—A. Yes, sir.

Q. Has the stable two stories?—A. Yes, sir; above and downstairs—steps leading upstairs.

Q. What is kept upstairs, Minnie?—A. Hay and oats and stuff like that, for the horses.

Q. For feed?—A. Yes, sir; the horses are kept below.

Q. Is there a window in the upstairs part?—A. Yes, sir; two doors-like. No window.

Q. Glass in them?—A. Yes, sir.

Q. Looking out to the north?—A. On St. Charles street.

Q. What condition was this man in; what was his appearance; where was he hurt?—A. I don't know; his face was all covered with blood; when I seen him I ran, because I was scared.

Q. Where did you go?—A. I ran in the house and told a lady that lived in our house to come down and see what she can do for the man; he said to me, "Miss, wash my face off."

Q. Wash his face off?—A. Yes, sir.

Q. Who told you the man had been hurt?—A. I heard him scream; I was sitting by the door, you know.

Q. How far were you away from where you saw him?—A. The stable is right about there [indicating] and the house is in there; there is about five steps right down to the stable.

Q. You heard him scream?—A. Yes; I heard somebody scream; I thought it was my father and I went out.

Q. Was the scream a loud one?—A. Well, pretty loud; I could hear it in the house.

Q. Did you see any men running away from there?—A. No, sir.

Q. You thought it was your father and you ran out there?—A. Yes, sir.

Q. Did this woman that was there with you wash off the blood from this man?—A. The lady did; I couldn't; I was too nervous.

Q. Too frightened?—A. Yes, sir.

Q. Did he look like he had been slightly hurt—just a little scratched, or was he all bloody?—A. He was all blood, all over; I could see his face was full of blood, and that is all I know.

Q. After he was washed, what became of him?—A. I don't know what became of him.

Q. You were so excited you went back into the house?—A. Yes, sir; I went back in the house; I came out again and I seen the gate was open; I didn't see any man in the stable.

Q. Didn't see any?—A. I looked for him, but I couldn't see the man then.

Q. He was gone, then?—A. Yes, sir.

Cross-examination by Mr. FRUMBERG:

Q. Who was present when this assault took place?—A. It was me and a lady friend of mine.

Q. Who was there at the time this assault took place—at the time this man was hurt?—A. Nobody was there at the time he got hurt: we didn't know he was hurt until we went out there.

Q. You didn't see anyone hit him, did you?—A. No, sir.

Q. Don't know who he was or who hit him?—A. No, sir.

Q. Don't know what occasioned it either, do you?—A. No, sir.

Q. Where did you find the gentleman who was hurt? What was his condition when you found him there?—A. I found him downstairs: he was all full of blood.

Q. He wasn't upstairs, was he?—A. No, sir.

Q. Downstairs?—A. Yes, sir.

Q. Did you wash his face?—A. No, sir: a lady friend of mine did.

Q. If the gentleman testified in his testimony that he was assaulted upstairs and that you bathed his face when he recovered consciousness, then he was mistaken, wasn't he?—A. Yes, sir.

Q. Because you are sure he was downstairs and not upstairs?—A. Yes, sir; I didn't bathe his face: I am sure I didn't.

Q. You didn't bathe his face?—A. No, sir.

Q. You are certain that you found him downstairs?—A. Yes sir.

By Mr. RICHEY:

Q. You don't know where he was when he was hit by these ruffians, do you?—A. No, sir: I can't say.

Q. Don't know whether he was upstairs or downstairs?—A. No, sir.

Q. You were not out there and don't know anything about it.—A. No: I ran out when I heard the scream: I ran out and I seen the man full of blood: then he asked me to wash his face off: I couldn't wash his face off. I was so nervous.

Q. You were so nervous and excited?—A. Yes, sir.

Q. He was nervous, too, wasn't he?—A. I don't know.

Q. Didn't he look to be?—A. Yes, sir; shook all over.

Q. Shook all over?—A. Yes, sir.

Q. Was in very bad condition?—A. I can't say.

Q. Didn't he look to be in very bad condition?—A. Well, I don't know; he was all full of blood: it ran down over his clothes: all running down.

Q. Which way did he go when he left there?—A. I can't say: I don't know.

Q. Did you see any police officers there?—A. No, sir: I did not.

By Mr. FRUMBERG:

Q. Who was there when he regained consciousness?—A. I wasn't there; I don't know whether he was unconscious or not.

Q. What did he say?—A. Just asked me to bathe his face off.

Q. Asked you to bathe his face?—A. Yes, sir.

Q. You ran away and refused to do it?—A. Yes, sir.

Q. You don't know what this man's condition was before this assault took place, do you?—A. No, sir: I never seen him.

Q. Don't know whether he was drunk or sober?—A. I can't say; I never seen him until I went out there: I thought it was my father.

Q. Never saw him before?—A. No, sir.

At this point a recess was taken until 5 o'clock p. m., to allow counsel for contestant to confer and decide as to whether they had any further testimony to offer in their behalf.

At 5 o'clock p. m. parties met and attorney for contestant announced that he had no further evidence to offer, and thereupon the testimony was closed on behalf of the contestant.

I, J. T. Sanders, a notary public within and for the city of St. Louis, and State of Missouri, and within the Twelfth Congressional district of Missouri, certify that the persons whose names are severally subscribed to the foregoing testimony were severally sworn to testify the whole of their knowledge touching the matter in controversy aforesaid: that they were examined and their examination was reduced to writing and subscribed by them respectively, in my presence, on the days above indicated, and at the place aforesaid, and their depositions are now herewith returned.

[SEAL.]

J. T. SANDERS,
Notary Public, City of St. Louis, Mo.

My commission expires April 3, 1905.

Depositions of witnesses produced, sworn, and examined on the 24th day of December, A. D. 1902, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, at the office of the board of election commissioners of the city of St. Louis, State of Missouri, before me, J. T. Sanders, a notary public within and for the city of St. Louis and the State of Missouri, in the election contest for Congressman of the Twelfth Congressional district, now pending in the Fifty-seventh Congress of the United States, wherein George C. R. Wagoner is contestant and James J. Butler is contestee, on the part of the contestant.

Present: George C. R. Wagoner, the contestant. William M. Kinsey, esq., counsel for contestant, and Thomas J. Rowe, esq., counsel for the contestee.

Counsel for the contestee desires it noted that this testimony is taken under notice given to the contestee to take testimony on the 24th of December, 1902, at the office of the board of election commissioners of the city of St. Louis, and to take the testimony of James J. McCaffery, John M. Wood, Louis Aloe, and Louis Kunz, and that Mr. Walsh, attorney for contestee, on the 22d of December, 1902, accepted said notice.

JAMES McCAFFERY, of lawful age, being produced, sworn, and examined on the part of the contestant, deposes and says as follows:

Direct examination by Mr. KINSEY:

Q. Your name is James J. McCaffery?—A. No, sir.

Q. James McCaffery?—A. Yes, sir.

Q. You are president of the board of election commissioners of the city of St. Louis?—A. Yes, sir.

Q. Mr. John M. Wood and Mr. Louis Aloe are the other two members of the board?—A. Yes, sir; they are the associate members.

Q. Mr. McCaffery, the contestant in this case desires first to be permitted to take a copy of the poll books used at the election held on the 4th day of November last and which are a part of the records in this office, as I understand, and I desire to ask you whether you, as a member of the board, or the boards, will permit this to be done?—A. Well, Mr. Kinsey, the registers are public property and open to inspection at any time, and I presume there will be no difficulty in your procuring a copy of the registers. However, I would rather this question would be brought before the entire board.

Q. Do you make any distinction between what you call the registers and the poll books?—A. Yes, sir.

Q. The question was directed to the poll books.—A. I misunderstood you. I thought you said registers.

Q. No, I said poll books.—A. Well, I think my answer would be an answer to your question, that I have no objection to your copying the poll books myself; but I would rather the question would be put to the entire board, and I think the board will acquiesce.

Q. Those poll books are in the possession of the board of election commissioners now?—A. They are in the possession of the secretary, and the representative of the minority member of the board; that is to say, they are in the vault with the ballot boxes, and there are two keys to the vault, and it requires the presence of the two persons holding the keys to get access to the vault.

Q. Who are the persons who hold the keys?—A. The secretary holds it for the Democratic members and Mr. Reagan, an employee, for the Republican member, the Republican member's representative.

Q. By the secretary you mean Mr. Louis Kunz?—A. Yes, sir.

Q. In addition to the above request the contestant also desires to have the ballots counted that were cast for the several candidates for Congress in the Twelfth district at the election held November 4, 1902.—A. I presume there will be no objection to that upon the part of the election commissioners.

Q. Do I understand you to say that you want to submit that question to the board as a board for its action?—A. I would like to.

Q. Have you the power as a member of the board to call a meeting of the board at any time?—A. Yes, sir.

Q. I presume you are informed of the fact that under the special order made by the House of Representatives the testimony in this contested-election case on behalf of the contestant will have to be closed on the 3d of January?—A. I was informed by you a few moments ago of that fact. I have no other knowledge of it, sir. I will say for you I will call a meeting of the board at a reasonable time—at any time other than to-morrow, which is Christmas. I will have a meeting of the board day after to-morrow, if it is agreeable to you.

Q. You will call a meeting of the board on Friday, the 26th, at 10 o'clock?—A. Yes, sir.

Q. And submit it to the board?—A. Yes, sir; all questions propounded to me.

Q. And such other requests concerning the matter as may be made by the contestant at that time?—A. Yes, sir. If you gentlemen so desire you can meet with the board, and we can go over the matter in controversy.

Q. Did I understand you that you, as president and a member of the board, are willing that the contestant and his counsel and the contestee and his counsel shall meet with the board at 10 o'clock on Friday, the 26th, for the purpose of making whatever arrangements are possible under the law to do this?—A. I make that suggestion so as to expedite matters as much as possible.

At this point, by consent of counsel, I adjourned the further taking of these depositions until 10 a. m., Friday, December 26, 1902, then to be resumed at the same place.

Depositions of witnesses produced, sworn, and examined on this 29th day of December, 1902, between the hours of 8 a. m. and 6 p. m., before me, J. T. Sanders, a notary public within and for the city of St. Louis, State of Missouri, at the office of the election commissioners in the city hall, in said city and State, in the contested-election case now pending before the Fifty-seventh Congress of the United States from the Twelfth Congressional district of Missouri, in which George C. R. Wagoner is the contestant and James J. Butler is the contestee, on behalf of the contestant.

Not being able to commence the taking of said depositions this day, by consent I hereby adjourn the same until to-morrow, December 30, at 9 o'clock a. m.

Pending adjournment until 9 a. m., this 30th day of December, 1902, I now adjourn the taking of evidence in the recount before me until the hour of 2 p. m. to-day, owing to the election commissioners not having been able to procure additional force to carry on the same.

GEORGE W. RINKEL and LOUIS P. MASTERSON, being duly sworn on behalf of the contestant, depose and saith:

Q. You are both clerks in the employ of the election commissioner of the city of St. Louis?—A. Yes.

Q. Has there been delivered to you the two poll books used in the fifth precinct, the Fourth Ward, of the city of St. Louis, which were used at the election held at the said city on the 4th day of November, 1902?—A. Yes.

Q. Will you take the two poll books in your possession and read therefrom the number, name, and address of each voter whose name appears therein, beginning with No. 1 and continuing in consecutive order until all names recorded therein have been read by you?—A. Yes.

Number.	Name.	Address.
1.....	Robert McWilliams	1234 Morgan street.
2.....	Chas. W. Williams	1238 Linden street.
3.....	G. M. Dibble	1027 Morgan street.
3.....	Jos. Teiber	1016 Franklin avenue.
4.....	Jos. Teiber	1016 Franklin avenue.
4.....	G. M. Dibble	1027 Morgan street.
5.....	Geo. Williams	1205 Linden street.
6.....	Alfred Logan	806 North Eleventh street.
7.....	Martin Kurn	803 North Eleventh street.
8.....	Frank Hecht	817 North Ninth street.
9.....	Nathan Kreutzner	817 North Ninth street.
9.....	Nathan Kreutzer	817 North Ninth street.
10.....	William Alexander	1238 Gay street.
11.....	Moses Porter	1029 Morgan street.
12.....	Julius Miller	909 Morgan street.
13.....	Joseph Cuneo	908 Franklin avenue.
14.....	Richard Pickett	803 North Tenth street.
15.....	Robert McKinney	1206 Morgan street.
16.....	Jacob Fox	1027 Morgan street.
17.....	Louis Cuneo	919 Morgan street.
18.....	Rudolph Holman	1110 Morgan street.
19.....	James Williams	1203 Morgan street.
20.....	W. E. Murray	918 Franklin avenue.
21.....	William Johnson	1203 Morgan street.
22.....	John Duntton	1203 Morgan street.
23.....	J. M. Michael	900 Franklin avenue.
23.....	Joe Michaels	900 Franklin avenue.

Number.	Name.	Address.
24	Lonis Silverman	1019 Morgan street.
25	William Saase	1019 Morgan street.
26	S. M. Sacks	817 North Tenth street.
26	John Raggie	909 Morgan street.
27	John Riggi	909 Morgan street.
27	S. M. Sacks	819 North Tenth street.
28	Jacob Dubinsky	1008 Morgan street.
29	Lonis Kaha	718 North Eleventh street.
30	Frank Woodson	1208 Linden street.
31	Pate Olan	1202 Morgan street.
32	Joseph Morrison	1209 Linden street.
33	Edward Mattice	1235 Morgan street.
34	William Weathers	1208 Morgan street.
35	Adolph Lentzner	1002 Morgan street.
36	A. Darling	915 Morgan street.
37	Chas. J. O'Shannessey	1013 Franklin avenue.
38	Geo. Edwards	1210 Morgan street.
39	James Robbins	1100 Morgan street.
40	Marmaduke Green	1234 Gay street.
41	Jeff Smith	1201 Morgan street.
42	Louis Schrader	1007 Franklin avenue.
42	Louis Schrader	1008 Franklin avenue.
43	Tom Russell	712 North Twelfth street.
44	Philip Busack	910 North Tenth street.
45	Jacob Wolf	1212 Morgan street.
46	Richard Waters	808 North Thirteenth street.
47	Peter Hughes	915 Morgan street.
48	W. A. Smith	1234 Gay street.
49	Harry J. Seahill	915 Morgan street.
50	Albert H. Kanning	910 Franklin avenue.
51	Meyer Rosenthal	817 North Tenth street.
52	R. J. Raymond	1108 Morgan street.
53	J. H. Dinkelmann	1000 Franklin avenue.
54	Geo. De Witt	1232 Morgan street.
55	Harry Goldstein	817 North Ninth street.
56	Mike Reuback	817 North Ninth street.
57	William Bracy	1211 Linden street.
58	Louis Hall	1235 Linden street.
59	William Marks	805 North Tenth street.
60	Sam Creamer	717 North High street.
61	Thomas Naughton	1231 Linden street.
62	Max Schultz	709 North Twelfth street.
63	John Norvill	1231 Linden street.
64	Robert Griffin	800 North Tenth street.
65	Fred Hoffman	721 North High street.
66	William Owens	803 North Tenth street.
67	John Parker	915 Morgan street.
68	McDonnell	717 North High street.
69	Martin Keegan	717 North High street.
70	Louis Naes	1204 Linden street.
71	William Tobin	800 North Tenth street.
72	John Crane	717 North High street.
73	John Quigley	708 North High street.
74	Peter O'Tool	710 North High street.
75	John Miles	915 Morgan street.
76	Geo. Brady	915 Morgan street.
77	John Norton	726 North Twelfth street.
77	John Norton	717 North High street.
78	Joe Weber	901 Morgan street.
79	Morris Kenton	717 North High street.
80	William James	1231 Linden street.
81	Geo. McGinness	708 North High street.
82	Harry Long	709 North Twelfth street.
83	James Dunn	803 North Twelfth street.
83	James Dunn	803 North Tenth street.
84	Pat Rooney	710 North High street.
84	Harry Rooney	710 North High street.
85	Patrick Burnes	717 North High street.
86	John Lakes	803 North Tenth street.
87	Henry Lund	803 North Tenth street.
88	James Nefton	717 North High street.
89	Mike Miles	817 North Ninth street.
90	Adolph Members	803 North Tenth street.
91	Mike Crow	817 North Ninth street.
92	Henry Kuhlman	803 North Tenth street.
93	Ed. Bollmer	817 North Ninth street.
94	John Jeffrey	717 North High street.
95	Phil Burton	1206 Linden street.
96	Wm. Newby	817 North Ninth street.
97	Lee Akins	708 North Twelfth street.
98	Adolph Klien	817 North Ninth street.
99	Harris Rosenthal	1103 Morgan street.
100	Max Jurton	1231 Linden street.
101	Henry Nolty	726 North Twelfth street.
102	Thomas Jordan	721 North High street.

Number.	Name.	Address.
103.	John O'Donnell	915 Morgan street.
104.	Peter Larson	709 North Twelfth street.
105.	Joseph Sartoria	1204 Linden street.
106.	Julius Cohen	717 North High street.
107.	Pat Quarles	708 North High street.
108.	Phil Lawler	709 North Twelfth street.
109.	Patrick Nulty	726 North Twelfth street.
110.	Geo. Hart	708 North High street.
111.	John McCoy	809 North Tenth street.
111.	John McCoy	709 North Tenth street.
112.	Thomas Kaire	717 North High street.
113.	Frank Simms	717 North High street.
114.	Fred Krebs	1231 Linden street.
115.	Sam Peeler	1231 Linden street.
116.	Peter Fay	915 Morgan street.
117.	Paul Hines	803 North Tenth street.
118.	John Owen	809 North Twelfth street.
119.	Edward Meyer	817 North Ninth street.
120.	Adolph Krause	817a North Ninth street.
121.	John Bird	903 Morgan street.
122.	Wm. Narell	1204 Linden street.
122.	Wm. Narell	1204 Linden street.
123.	Meyer Koehner	1231 Linden street.
124.	August Durge	803 North Tenth street.
125.	Michael Lunyan	710 North High street.
125.	Michael Runyan	710 North High street.
126.	A. Joseph	717 North High street.
126.	Emile Joseph	717 North High street.
127.	James New	817 North Ninth street.
128.	Joseph Hose	1231 Linden street.
129.	Wm. Adolphus	717 North High street.
130.	James Halpin	915 Morgan street.
131.	John Maguire	717 North High street.
132.	Sam Meyers	817a North Ninth street.
133.	Thomas O'Brien	717 North High street.
134.	Antonio Balsano	917 Franklin avenue.
134.	Antonio Balsano	907 Franklin avenue.
135.	Herman Miller	809 North Tenth street.
136.	Henry Mutzler	1025 Franklin avenue.
137.	Burrell Powers	1204 Morgan street.
138.	Frank Zalle	803 North Tenth street.
139.	Harry Arrows	803 North Tenth street.
140.	J. J. Fitzpatrick	717 North High street.
140.	J. J. Fitzpatrick	1213 Linden street.
141.	Frank Allen	803 North Tenth street.
142.	Joe Kelly	803 North Tenth street.
142.	Phil Hogan	1231 Linden street.
143.	Phil Hogan	1231 Linden street.
143.	Frank Tanty	915 Morgan street.
144.	Frank Tanty	915 Morgan street.
144.	Joe Kelly	803 North Tenth street.
145.	Joe Marks	803 North Tenth street.
146.	Fred Hess	803 North Tenth street.
147.	Thomas Edwards	803 North Tenth street.
148.	Thomas Collins	817 North Ninth street.
148.	Thomas Collins	717 North High street.
149.	Wm. Foster	1109 Morgan street.
150.	Henry Funke	710 North High street.
151.	Henry Switzer	817 North Ninth street.
152.	Geo. Andrews	717 North High street.
153.	Thomas Morris	803 North Tenth street.
154.	James Dunn	918 Franklin avenue.
155.	Pete Ganilli	903 Morgan street.
156.	Ed. Henke	803 North Tenth street.
157.	James Orr	702 North Fourth street.
158.	Simon Lasky	1213 Morgan street.
158.	Simon Lasky	1013 Morgan street.
159.	Louis Goldman	1018 Morgan street.
160.	Geo. Bentley	1024 Wash street.
161.	Sam Lasky	1213 Morgan street.
162.	Bob Oliver	708 North Thirteenth street.
163.	Max Glassman	1025 Franklin avenue.
164.	O. B. Halkom	714 North Eleventh street.
165.	D. G. Goldstien	1016 Morgan street.
166.	Wm. Hellen	906 North Eleventh street.
167.	Thomas Banks	913 Morgan street.
167.	Thomas Banks	1213 Morgan street.
168.	Isi Cohn	1215 Morgan street.
169.	Peter Lerner	1216 Morgan street.
170.	James Hessen	803 North Tenth street.
171.	John McHale	915 Morgan street.
172.	Louis Ginsberg	1117 Morgan street.
172.	Louis Ginsberg	1107 Morgan street.
173.	Andy Barnet	718 North Twelfth street.
174.	John Williams	715 North Twelfth street.

Number.	Name.	Address.
175	John Keys	702 North Twelfth street.
176	Frank Collins	1122 Morgan street.
177	Chas. Fox	702 ¹ / ₂ North Twelfth.
178	James Morris	1201 Morgan street.
179	Wm. Baker	708 North Twelfth street.
180	Geo. Height	702 North Twelfth street.
181	Sam Gottfried	1025 Franklin avenue.
182	James Bell	702 ¹ / ₂ North Twelfth.
183	Harry Allen	1204 Linden street.
184	Abraham Bates	715 North Twelfth street.
185	Martin Bolger	1206 Linden street.
186	Thos. Franklin	915 Morgan street.
187	Lonis Fletcher	800 North Tenth street.
188	Harris Ziechick	802 North High street.
189	Wm. Terrell	1209 Linden street.
190	Frank Norton	721 North High street.
191	John When	708 North High street.
192	Chas. W. S. White	1239 Morgan street.
193	John Donnelly	915 Morgan street.
194	Joseph Hugans	717 North High street.
194	John Hugans	717 North High street.
195	Frank Crow	710 North High street.
196	John Golden	915 Morgan street.
197	Michael Powers	817 North Tenth street.
197	Michael Powers	817 North Ninth street.
198	Geo. Lewis	803 North Tenth street.
199	Ed. Foley	803 North Tenth street.
200	Fred James	717 North High street.
201	Gus Roth	800 North Tenth street.
202	Jno. Miller	717 North High street.
202	Morris Ludwig	1031 Morgan street.
203	Joseph Rush	710 North High street.
203	Jno. Miller	717 North High street.
204	John Howe	817 North High street.
204	Frank Warn	726 North Twelfth street.
205	Frank Willson	803 North Tenth street.
205	John Rush	710 North High street.
206	Phil Suhr	717 North High street.
206	John Howe	817 North Ninth street.
207	Ludwig Morris	1031 Morgan street.
207	Frank Willson	803 North Tenth street.
208	Frank Wand	726 North Twelfth street.
208	Philip Suhr	717 North High street.
209	Fred Johnson	1206 Linden street.
210	John Walton	726 North Twelfth street.
211	Herman Bollmer	817 North Ninth street.
212	Martin Manning	803 North Tenth street.
213	Henry Dauss	708 North High street.
213	Henry Dauss	703 North High street.
214	Ralf Jones	1206 Linden street.
215	Mike Norris	817 North Ninth street.
216	Tim Hennessey	909 Morgan street.
217	Wm. Graw	708 North High street.
218	James Singals	817 North Ninth street.
218	James Engle	817 North Ninth street.
219	Joseph Walsh	726 North Twelfth street.
220	Harky Bryant	903 Morgan street.
221	John Ryan	809 North Tenth street.
222	John Reghny	1231 Linden street.
223	Joe Hill	708 North High street.
224	James Joss	817 North Ninth street.
225	Theo. B. White	722 North Twelfth street.
226	William Ellis	803 North Tenth.
227	Frank Carson	708 North High.
228	Timothy Fay	710 North High.
229	James Golden	710 High.
230	John Warn	1114 Morgan.
230	John Wand	1114 Morgan.
231	James Cullen	1204 Linden.
232	Fred Uthoff	1204 Linden.
233	Frank Cran	710 North High.
234	Geo. Hayes	803 North Tenth.
235	Thomas Cella	803 North Tenth.
236	Michael Darrett	708 North High.
236	Michael Dornutt	709 North High.
237	Theodore Barrymore	721 North High.
238	Michael Finan	710 North High.
238	Michael Finan	810 North High.
239	Myer Judy	1206 Linden.
240	John Hall	708 High.
241	John McLaughlin	800 North Tenth.
242	John Watts	909 Morgan.
243	Dan. Hogan	909 Morgan.
244	Thomas Owens	1208 Morgan.
245	Isaac Funstan	721 North High.

Number.	Name.	Address.
245	I. Fustun	721 North High.
246	Frank Grant	708 North High.
247	Adolph Hoff	803 North Tenth.
248	William Hogan	803 North Tenth.
249	Joseph Holtzer	909 Morgan.
250	Martin Davis	708 North High.
251	Edward Young	817 North Ninth.
252	Myer Nelson	803 North Tenth.
253	George Groves	708 High street.
254	Morris Young	817 North Ninth.
255	John Thomas	817 North Ninth.
256	Henry Brunning	800 North Tenth.
257	Adam Wellzer	726 North Twelfth.
258	Frank McGorry	800 North Tenth.
259	Robert Shark	726 North Twelfth.
259	Robert Shark	800 North Tenth.
260	William Parker	817 North Ninth.
261	Henry Crane	710 North High.
262	Robert Endicott	800 North Tenth.
263	Michael Delle	908 Franklin.
264	Frank Garvey	800 North Tenth.
265	Richard Hicks	1212 Linden.
266	Harry White	702 North Twelfth.
267	Tony Centenzara	908 Franklin.
268	D. B. Todd	708 North Twelfth.
269	George Turner	1233 Linden.
270	Charles Smith	1016 Franklin.
270	Charles Smith	916 Franklin.
271	Charles Lightfoot	1308 Gay.
272	Clement Topp	717 North High.
273	George W. Powell	1009 Franklin.
274	Antonio Garso	908 Franklin.
275	John J. Gannon	717 North High.
276	Charles Haux	807 North Twelfth.
277	Barney Capps	806 North Tenth.
278	T. A. Fritch	701 North High.
279	Jesse Williams	1203 Morgan.
280	Owen Peckett	803 North Tenth.
281	Edward James	1108 Morgan.
282	Joseph Joss	817 North Ninth.
282	Joseph Joss	717 North High.
283	Edward Vollmer	817 North Ninth.
283	William Vollmer	817 North Ninth.
284	Phil Wopper	726 North Twelfth.
285	John Burns	809 North Tenth.
286	J. W. Alexander	1004 Morgan.
287	Tom Collins	1205 Linden.
288	Thomas Barnett	903 Morgan.
289	James White	915 Morgan.
290	L. Allecks	1204 Linden.
291	Albert Cole	1021 Franklin.
292	Arthur Silence	709 North Twelfth.
293	Geo. Cullen	903 Morgan.
293	Geo. Cullen	1303 Morgan.
294	Frank Campbell	710 North High.
295	Ed. Hill	903 Morgan.
296	Fred Brockman	903 Morgan.
297	John Collins	903 Morgan.
298	Andrew McGrail	721 North High.
299	John Beidersen	804 North Tenth.
300	Charles Biddle	903 Morgan.
301	Pat Byle	903 Morgan.
301	Patrick Bailey	903 Morgan.
302	Joseph Kirks	726 North Twelfth.
302	Joseph Kurtz	726 North Twelfth.
303	Fred Pohlman	1114 Morgan.
304	Ira Spurgen	800 North Tenth.
305	William Hefferan	915 Morgan.
306	John Erwin	817 North Ninth.
307	James Madden	915 Morgan.
308	James Quigley	708 North High.
309	Fred Kelpes	726 North Twelfth.
310	Frank Decker	809 North Twelfth.
311	James McCue	721 North High.
312	Frank Cole	903 Morgan.
313	Thomas Callahan	1204 Linden.
314	William Moore	915 Morgan.
315	Henry Robertson	712 North High.
316	Morris Salv	709 North Twelfth.
317	Fred Mark	710 North High.
318	Frank Weisman	1109 Morgan.
319	John Mullen	708 North Twelfth.
319	John D. Mullen	721 North Twelfth.
320	James Norris	721 North High.
321	James Ross	1208 Linden.

Number.	Name.	Address.
322	Herman Young	817 North Ninth.
323	Henry Perkinson	817 North Ninth.
324	John Walsh	903 Morgan.
325	Robert Rusk	1250 Morgan.
326	Sam Troy	817 North Ninth.
327	Joseph Dursam	708 North High.
327	John Durns	317 North Ninth.
328	John Ivy	817 North Ninth.
328	John Ivy	817 North High.
329	William Bryant	809 North Tenth.
330	Nicholas Quand	721 North High.
331	Ed. Condon	721 North High.
331	Ed. Conlon	708 North High.
332	Martin Quin	708 North High.
333	Ed Jones	817 North Ninth.
334	William Pullan	1109 Lucas.
334	James Carroll	708 North High.
335	James Carroll	708 North High.
335	Thomas Pratt	708 North Twelfth.
336	Thomas Pratt	708 North Twelfth.
336	William Pulliam	No address.
337	James Snell	1204 Linden.
338	James Roth	809 North Tenth.
339	Charles Hosler	821 North High.
339	Charles Hosler	721 North High.
340	James Wand	903 Morgan.
341	Cal Jenkins	817 North Ninth.
342	Morris Cohn	708 North High.
343	Charles Scott	1108 Morgan.
343	Charles A. Scott	1106 Morgan.
344	Adolf Jaeger	721 North High.
345	James Barrett	117 North High.
346	John Qualaty	721 North High.
346	John Quality	1206 Linden.
347	Phil Jergins	1206 Linden.
348	Geo. Barry	1204 Gay.
349	William Shields	800 North Tenth.
350	Joseph Corso	910 North Tenth.
351	J. C. Lucky	1106 Morgan.
352	Frank Graffingeo	905 Morgan.
353	Joseph Ruft	721 High.
354	Arthus Rollins	1231 Linden.
355	Edward Fitzgerald	804 North Tenth.
355	Ed. Fitzgerald	804 North Eighteenth.

NOTE.—Where the voting numbers are duplicated it indicates the difference in the two poll books.

By Mr. KINSEY:

Q. Examine the certificate of the judges and clerks attached to these poll books and state the votes certified by them for the candidates for Congress for the short term.—A. James J. Butler received 321 votes; Geo. C. R. Wagoner received 24 votes. The other book shows James J. Butler received 324 votes; Geo. C. R. Wagoner received 24 votes.

Q. State whether this certificate is signed by the four judges and two clerks.—A. Yes.

At 7 p. m. adjournment is taken until the hour of 8 o'clock p. m.

Pursuant to adjournment, we now resume taking testimony at 8.35 o'clock.

Q. Have you in your possession poll book of precinct 1, Ward 14, which was used at the election in the city of St. Louis, 4th day of November, 1902?—A. Yes, sir.

Q. Have you one or two books?—A. One poll book.

Q. State from whom you received this book.—A. From Martin F. Moore and Patrick J. Reagan.

Q. They are the custodians of the books and ballot boxes?—A. Yes, sir.

Q. Will you now take the book which you now have in your possession and read the number, name, and address of each voter entered therein, beginning with number one and continuing in consecutive order to and including the last name?—A. Yes, sir.

Number.	Name.	Address.
1	O. F. Spiller	1611 Chestnut street.
2	William Moore	1615 Chestnut street.
3	J. T. Anderson	1619 Chestnut street.
4	Ed. Perry	1615 Chestnut street.
5	Lewis Garvey	10 North Fifteenth street.
6	William Gurley	1408 Pine street.
7	J. Clark	1416 Pine street.
8	George Dean	1501 Chestnut street.
9	William Clifford	1416 Pine street.
10	Thomas Simmons	1408 Pine street.
11	Ed. Lewis	Wyoming Hotel, Fifteenth street and Chestnut street.
13	George J. Blush	1407 Chestnut street.
14	D. Goins	1627 Chestnut street.
15	D. Siegel	1618 Chestnut street.
16	James Gaver	1415 Market street.
17	Ted. McGrauer	1609 Market street.
18	J. Clinton	1408 Pine street.
19	H. Kappenberg	1609 Market street.
20	James Burdon	1420 Pine street.
21	W. S. Bradhan	1401 Market street.
22	John Branch	1528 Chestnut street.
23	J. T. Nixon	1408 Pine street.
24	William Moore	1504 Chestnut street.
25	James Wilson	1504 Chestnut street.
26	T. B. Baughton	1500 Chestnut street.
27	W. D. Ferari	1528 Chestnut street.
28	M. J. O'Rourke	1526 Chestnut street.
29	Alec. Brown	1401 Pine street.
30	Edward Dunn	1429 Chestnut street.
31	William O. Davis	1423 Chestnut street.
32	Joseph Hoskins	1517 Chestnut street.
33	John N. Stern	1616 Chestnut street.
34	J. O. Cottman	1514 Chestnut street.
35	Frank Gardner	1500 Pine street.
36	William Jones	1420 Pine street.
37	M. Green	1522 Pine street.
38	George Dixon	1421 Chestnut street.
39	George Jackson	1520 Pine street.
40	William Stephens	1416 Pine street.
41	Frank Newman	1416 Chestnut street.
42	Stanley Barber	1613 Chestnut street.
43	J. Owens	1503 Chestnut street.
44	George Hill	1416 Pine street.
45	Charles Alford	1502 Pine street.
46	J. Simmons	1520 Pine street.
47	Sandy Mayes	1500 Chestnut street.
48	William Nay	1500 Chestnut street.
49	Frank Collins	1418 Chestnut street.
50	L. Mason	1520 Pine street.
51	W. W. W. Shannon	1502 Pine street.
52	J. White	1508 Pine street.
53	J. Hall	105 North Sixteenth street.
54	V. Owens	1609 Chestnut street.
55	Charles Scott	1416 Chestnut street.
56	W. N. Sutton	1409 Chestnut street.
57	Ben Rudd	1500 Chestnut street.
58	H. Johnson	1501 Chestnut street.
59	Tom Smith	1518 Pine street.
60	William Ryan	1416 Chestnut street.
61	Charles Christian	1416 Chestnut street.
62	W. C. Ridley	1423 Chestnut street.
63	C. H. Greener	1400 Pine street.
64	John White	1518 Pine street.
65	D. Patterson	1421 Market street.
66	William McGee	1400 Pine street.
67	John Cook	1501 Pine street.
68	J. Clark	1404 Pine street.
69	George Clay	1504 Chestnut street.
70	J. Hayes	1415 Market street.
71	H. E. Reynolds	1500 Pine street.
72	P. J. Bonner	1502 Pine street.
73	A. H. Heitmeyer	1417 Market street.
74	Val. Siber	1518 Pine street.
75	T. J. Morrow	1519 Chestnut street.
76	B. J. Harrison	1408 Pine street.
77	W. Richards	1411 Market street.
78	J. H. Rooney	1431 Chestnut street.
79	C. C. Goins	1627 Chestnut street.
80	A. C. Kasten	113 North Fifteenth street.
81	S. T. Slicer	1423 Chestnut street.
82	Shep. Watts	1603 Market street.
83	Frank A. Rogers	1404 Pine street.
84	Edward B. Canmann	1507 Chestnut street.
85	Moses Kaplan	1513 Market street.
86	Thomas Duffy	1400 Pine street.

Number.	Name.	Address.
87.	C. W. Rhea	1400 Chestnut street.
88.	J. H. Winberg	1513 Market street.
89.	A. G. Haltenwanger	1515 Chestnut street.
90.	Davis Canrl	1508 Chestnut street.
91.	H. Altverter	1408 Pine street.
92.	Sid. Connor	1417 Chestnut street.
93.	Joe Roselli	1630 Pine street.
94.	Edward S. Romer	1630 Pine street.
95.	W. P. Curtis	1409 Market street.
96.	Sam Harris	1416 Chestnut street.
97.	C. C. Nolestein	1612 Pine street.
98.	John Schmid	1419 Market street.
99.	J. M. Dobbs	1525 Pine street.
100.	C. P. Sterns	1410 Pine street.
101.	Sandy Pointer	1622 Chestnut street.
102.	T. Larden	1630 Pine street.
103.	J. H. Schmid	1419 Market street.
104.	J. C. Hulitt	1500 Pine street.
105.	D. Keenan	1609 Market street.
106.	Jacob Sturble	1614 Chestnut street.
107.	F. L. Smith	1626 Pine street.
108.	C. C. Caraway	1627 Chestnut street.
109.	D. McClean	1423 Chestnut street.
110.	John Costigan	1628 Pine street.
111.	E. H. Burkhardt	1401 Market street.
112.	J. Harrigan	1514 Pine street.
113.	Pompay Dunn	1603 Chestnut street.
114.	Newton Sheton	1514 Chestnut street.
115.	L. Mothersbaugh	1410 Pine street.
116.	A. B. Webber	1515 Chestnut street.
117.	J. A. Bauer	1405 Market street.
118.	J. P. Murrell	1407 Market street.
119.	Bud. Doran	1630 Pine street.
120.	J. A. Pendergast	1614 Chestnut street.
121.	E. Fleming	1514 Pine street.
122.	L. Huntley	105 North Sixteenth street.
123.	James A. Covington	1400 Chestnut street.
124.	A. Johnson	1608 Pine street.
125.	W. R. Lambert	1618 Pine street.
126.	G. Norton	1618 Pine street.
127.	C. Tucker	1503 Chestnut street.
128.	G. L. Harris	1606 Pine street.
129.	J. P. Smith	1620 Chestnut street.
130.	David Cook	1419 Chestnut street.
131.	Albert Scott	1422 Chestnut street.
132.	J. Nelson	1603 Chestnut street.
133.	R. Moppins	1514 Chestnut street.
134.	H. D. Woods	1608 Pine street.
135.	William Smith	1608 Pine street.
136.	F. Watkins	1503 Chestnut street.
137.	T. Davis	1608 Pine street.
138.	H. Booker	1620 Pine street.
139.	G. Brooks	1503 Chestnut street.
140.	J. A. Smith	1511 Chestnut street.
141.	M. Jackson	1615 Chestnut street.
142.	John Thomas	1503 Chestnut street.
143.	A. Harris	1620 Pine street.
144.	George Jones	1418 Chestnut street.
145.	Lee Dunn	1414 Pine street.
146.	James Webb	1418 Pine street.
147.	C. C. Lewis	1520 Pine street.
148.	Henry Ridley	1517 Chestnut street.
149.	William Blanke	1421 Chestnut street.
150.	J. Shaw	1525 Market street.
151.	E. N. Lay	105 North Sixteenth street.
152.	A. Woods	1525 Market street.
153.	A. Lee	1418 Pine street.
154.	Charles Cross	1414 Pine street.
155.	George Benton	1418 Pine street.
156.	W. Neal	1611 Chestnut street.
157.	C. Henderson	1420 Pine street.
158.	W. Monroe	1607 Chestnut street.
159.	William Jennings	1512 Chestnut street.
160.	Peter Lee	1607 Chestnut street.
161.	William Davis	1510 Chestnut street.
162.	A. Moffett	1605 Chestnut street.
163.	Walter Hurt	1608 Pine street.
164.	George Masterbrook	1500 Chestnut street.
165.	T. Driver	1612 Pine street.
166.	A. Masterbrook, jr	1500 Chestnut street.
167.	C. Kaiser	1507 Chestnut street.
168.	L. Isala	121 North Sixteenth street.
169.	C. E. Smith	1504 Chestnut street.
170.	Edward L. Dean	1502 Pine street.
171.	J. J. Harrington	1629 Chestnut street.
172.	James T. Coffey	1519 Chestnut street.

Number.	Name.	Address.
173	H. Hineman	10 North Sixteenth street.
174	Finley W. Fields	1404 Chestnut street.
175	Harry Johnson	1417 Chestnut street.
176	Joe V. Hamilton	1524 Chestnut street.
177	W. Thompson	1419 Chestnut street.
178	George Kinsey	1505 Chestnut street.
179	Benj. Retter	1409 Chestnut street.
	(By order of the board of election commissioners.)	
180	C. A. Howard	1500 Pine street.
181	James Willis	1625 Chestnut street.
182	Robert Bruce	12 North Fifteenth street.
183	W. S. Matthews	1401 Chestnut street.
184	W. W. Morrison	1500 Pine street.
185	Aquilla Robinson	1618 Pine street.
186	A. Masterbrook	1500 Chestnut street.
187	D. Stalta	1519 Chestnut street.
188	B. S. Allen	1520 Pine street.
189	S. T. Rossi	1507 Market street.
190	Ross Griffiths	1424 Chestnut street.
191	Tom Fuchs	1407 Chestnut street.
192	John Leonard	1405 Pine street.
193	Herbert Watson	1501 Chestnut street.
194	Edward Tomlinson	1614 Pine street.
195	J. Regan	1609 Market street.
196	Aaron Seiff	1521 Market street.
197	Charles O. Grogan	1400 Pine street.
198	Charles Slatterly	1400 Pine street.
199	W. J. Collins	1625 Chestnut street.
200	J. Murphy	111 North Fifteenth street.
201	T. B. Cooper	1507 Chestnut street.
202	W. R. Schmitt	1421 Market street.
203	F. Leonard	1405 Chestnut street.
204	J. T. King	1412 Pine street.
205	Bert Darmon	1406 Pine street.
206	W. J. Smith	113 North Fifteenth street.
207	John Willis	1625 Chestnut street.
208	R. Robinson	1423 Chestnut street.
209	E. Siskind	1519 Market street.
210	Thomas Sharp	1422 Chestnut street.
211	William Rainey	1519 Market street.
212	W. P. Fisher	1400 Chestnut street.
213	Charles A. McIntyre	1500 Pine street.
214	H. Baker	1408 Pine street.
215	B. B. Bucknor	1408 Pine street.
216	Walter Price	1609 Market street.
217	W. P. Canon	1500 Pine street.
218	W. C. Richards	1409 Chestnut street.
219	William Shackleshad	1400 Chestnut street.
220	William Good	1501 Chestnut street.
221	John Porter	1501 Chestnut street.
222	George White	1518 Pine street.
223	J. McIntyre	1500 Pine street.
224	John A. Smith	1400 Chestnut street.
225	E. D. Williams	1408 Pine street.
226	C. G. Jenkins	1406 Pine street.

By Mr. KINSEY:

Q. Will you now turn to the certificate of the judges and clerks on this poll book and read the result of the election as certified by them showing the vote cast for each of the candidates for Congress for the short term?—A. Yes. James J. Butler received 131 votes and George C. R. Wagoner received 50 votes; Henry H. Artz received 6 votes.

Q. State whether this certificate was signed by all the judges and clerks acting in that precinct?—A. Yes: it was signed by 4 judges and 2 clerks.

Q. Do you know where the other poll book is, belonging to this precinct?—A. No, sir.

Q. The one you have just read from is the only one delivered to you by Mr. Moore and Mr. Regan, the custodians of the records in the election commissioners' office: I mean the custodian of the ballot boxes, poll books, and registers being used in taking testimony in this case?—A. We received this poll book from Messrs. Moore and Regan: whether they are the custodians or not I do not know. This is the only book we received.

Q. Will you now produce the poll books used in precinct 3, of Ward 14, at the election held in the city of St. Louis, November 4, 1902, and read therefrom the number, name, and address of each voter entered therein, beginning with No. 1 and continuing in consecutive order to and including the last number?—A. Yes.

Number.	Name.	Address.
1.	J. D. Mason	1624 Market street.
2.	Otto Weneke	100 North Nineteenth street.
3.	Herman T. Haas	City hospital.
4.	Lewis Branch	100 Moore street.
5.	Walter Rail	1617 Clark avenue.
6.	Joseph Collins	1907 Market street.
7.	Ernest Henterlite	12 North Eighteenth street.
8.	J. Cullen	100 North Nineteenth street.
9.	John B. Smith	1617 Clark avenue.
10.	Frank Miller	1923 Market street.
11.	Harry S. Rogers	201 South Sixteenth street.
12.	Henry Crow	120 Moore street.
13.	J. E. Moore	1915 Market street.
14.	William Bird	1909 Market street.
15.	Lewis Thomas	1325 Clark avenue.
16.	Lee Cord	120 Moore street.
17.	John W. Barton	1700 Chestnut street.
18.	Charles Allen	1917 Market street.
19.	William F. Lorenz	18 South Seventeenth street.
20.	Ed. Kelly	201 South Sixteenth street.
21.	Ed. Phillips	218 Moore street.
22.	C. C. Rankin	1714 Chestnut street.
23.	Dan Fox	1927 Market street.
24.	Henry Call	1614 Market street.
25.	Walter Anderson	1909 Market street.
26.	William Taylor	1909 Market street.
27.	William Davis	1712 Chestnut street.
28.	Jasper Fowler	100 Moore street.
29.	William Murry	106 South Sixteenth street.
30.	James Wade	1710 Chestnut street.
31.	Frank McGurl	201 South Sixteenth street.
32.	Frank X. Moore	1727 Market street.
33.	John Irvin	1700 Chestnut street.
34.	Joseph Houser	1911 Market street.
34 (duplicate)	John Houser	1911 Market street.
35.	James McClure	1704 Market street.
36.	Stanley Johnson	1909 Market street.
36 (duplicate)	Stanley Johnson	1907 Market street.
37.	Bert Marshall	1909 Market street.
38.	Chick Banks	103 South Sixteenth street.
39.	William E. Dailey	1622 Market street.
40.	Lewis Kuehn, jr	1700 Chestnut street.
41.	Ed. Williams	1917 Market street.
42.	Arthur Hess	1919 Market street.
43.	W. Evans	1622 Market street.
44.	Ed. Dunn	100 North Nineteenth street.
45.	John O'Connor	1915 Market street.
46.	Thomas P. Connolly	16 South Seventeenth street.
47.	James Gallagher	29 South Sixteenth street
48.	August Beiling	Terminal Hotel.
49.	James J. Conlon	1827 Market street.
50.	James E. Payton	1913 Market street.
51.	William Jones	1701 Market street.
52.	William A. Burns	1610 Market street.
52 (duplicate)	James A. Burns	1610 Market street.
53.	George Johnson	1701 Market street.
54.	Charles Sut	107 North Eighteenth street.
55.	Thomas Barry	1701 Market street.
56.	J. J. Meredith	1915 Market street.
57.	Henry Wolf	1701 Market street.
58.	John Johnson	1701 Market street.
59.	Wm. G. Schneke	1701 Market street.
60.	George Speers	100 North Nineteenth street.
61.	Henry Patrick	1825 Market street.
62.	Frank Thompson	1821 Market street.
63.	John Riley	1600 Market street.
64.	B. B. Sims	1600 Market street.
65.	J. J. Simon	1827 Market street.
66.	Alec Brooks	1604 Market street.
67.	William G. Harris	31 South Sixteenth street.
68.	Henry Donnerberg	17 South Sixteenth street.
69.	John Murphy	1811 Market street.
70.	Herman Willis	1701 Market street.
71.	Francis Conroy	1600 Market street.
72.	John Richmond	City Hospital.
73.	Nathan Curtis	1614 Market street.
74.	Al. Gordon	1919 Market street.
75.	Henry Hunter	1715 Market street.
76.	Michael Mahone	201 South Sixteenth street.
77.	J. R. Stadler	1811 Market street.
78.	Mike White	21 South Sixteenth street.
79.	Peter Brown	1815 Market street.
80.	Luther Secor	107 North Eighteenth street.
81.	Thomas Tucker	201 South Sixteenth street.
82.	George V. Harvey	201 South Sixteenth street.
83.	William Hardy	11 South Sixteenth street.

Number.	Name.	Address.
84	Arthur Trye	27 South Sixteenth street.
85	Frank Smith	1801 Market street.
86	Dan Clifford	19 South Sixteenth street.
87	Betty Miles	5 South Sixteenth street.
88	Andrew Clausen	5 South Sixteenth street.
89	John Broderick	5 South Sixteenth street.
90	Pat. J. Haloran	1718 Market street.
91	Ed. Wilson	1914 Pine street.
92	P. R. Morris	5 South Sixteenth street.
93	Christian Kaiser	9 South Sixteenth street.
94	Thomas O'Malley	10 South Seventeenth street.
95	Harvey Cross	1909 Market street.
96	August Nger	5 South Sixteenth street.
97	John N. Sanders	29 South Sixteenth street.
98	George Ward	1701 Market street.
99	R. Baccard	5 South Sixteenth street.
100	Gus Ritz	41 South Sixteenth street.
101	Harry L. Senner	201 South Sixteenth street.
102	John McCormick	15 South Sixteenth street.
103	George Holt	1925 Market street.
104	John Burns	27 South Sixteenth street.
105	John Dean	23 South Sixteenth street.
106	William F. James	1815 Market street.
107	Charles Golden	1600 Market street.
108	P. F. Jones	1701 Market street.
109	John Curran	1604 Market street.
110	John O'Brien	1817 Market street.
111	John McCully	5 South Sixteenth street.
112	William Suell	1614 Market street.
113	Albert Hamilton	100 North Nineteenth street.
114	Henry Hohenstetter	23 South Sixteenth street.
115	J. E. Davis	29 South Sixteenth street.
116	James J. Sheehan	201 South Sixteenth street.
117	George Husler	1701 Market street.
118	S. L. Kramer	1622 Market street.
119	U. B. White	1921 Market street.
120	Albert E. Belton	City Hospital.
121	Fred Halley	City Hospital.
122	Herman Kramer	1620 Market street.
123	John Leary	1827 Market street.
124	A. Balducci	1932 Chestnut street.
125	Robert H. McCluskey	1813A Market street.
126	John Gallagher	1915 Market street.
127	Z. T. Gordon	1923 Market street.
128	Frank I. Marks	1707 Market street.
129	Jacob Kotner	1622 Market street.
130	William Doyle	1915 Market street.
131	Fred Buehrer	1705 Market street.
132	Peter Egler	1701 Market street.
133	Otto L. Sallander	Terminal Hotel.
134	John McKinsey	100 North Nineteenth street.
135	William Schoenfeld	1827 Market street.
136	Frank Fisher	City Hospital.
137	James Mason	105 South Sixteenth street.
138	H. J. Johnson	1708 Chestnut street.
139	Thomas Bond	1706 Chestnut street.
140	Daniel Hunter	102 Moore street.
141	Robert Hatch	1706 Chestnut street.
142	Thomas Roy	105 South Sixteenth street.
143	William Carroll	102 Moore street.
144	George A. Rice	219 Moore street.
145	Thomas Hamilton	26 Moore street.
146	John Williams	20 Moore street.
147	George Gray	1909 Market street.
148	John Watterson	218 Moore street.
149	Thomas Jackson	1623 Clark avenue.
150	Henry Green	216 Moore street.
151	William Reed	214 Moore street.
152	E. P. Johnson	39 South Sixteenth street.
153	Charles F. Gilpen	107 South Eighteenth street.
154	A. S. Levy	1709 Market street.
155	Lee Rosenheim	1921 Market street.
156	Frank Creeper	108 South Seventeenth street.
157	William McDaniels	104 Moore street.
158	Frank Fulton	1525 Market street.
159	E. E. Buchanan	1606 Market street.
160	Frank Field	1701 Market street.
161	John O. Farrell	1900 Chestnut street.
162	Dan Murphy	15 South Sixteenth street.
163	Charles W. Talbott	1631 Clark avenue.
164	Charles M. Bird	1807 Market street.
165	William Sullivan	35 South Sixteenth street.
166	Ernest A. Deatheridge	21 South Sixteenth street.
167	Lawrence Quinn	100 North Nineteenth street.
168	Dan Horner	City Hospital.

Number.	Name.	Address.
169.....	Pat Clevey	City Hospital.
170.....	William Grupp	1701 Market street.
171.....	Ernest Niehaus	1718 Market street.
172.....	D. J. Campbell	1611 Clark avenue.
173.....	Henderson Sewell	1614 Market street.
174.....	Jacob H. Freedman	1801 Market street.
175.....	Eugene Isabel	1614 Market street.
176.....	Henry Heet	1701 Market street.
177.....	James Carter	1810 Pine street.
178.....	John J. Bowler	201 South Sixteenth street.
179.....	Dave Thompson	1625 Clark avenue.
180.....	August Gerlach	1701 Market street.
181.....	William H. Williams	1617 Clark avenue.
182.....	Thenis Coble	211 South Sixteenth street.
183.....	Frank Hubbard	33 South Sixteenth street.
184.....	D. W. Hartsfield	1928A Market street.
185.....	Irvin Clark	1928A Market street.

By Mr. WALSH:

Q. Mr. Sanders, on the first page of your transcript of to-day I notice the entry made that owing to the election commissioners not having been able to procure additional force to carry on the same the taking of evidence in the recount was adjourned from 9 a. m. until 2 p. m. Did you serve any notice on the election commissioners or did you issue any notice to the election commissioners desiring them to furnish you with additional clerical service at or before 9 a. m. December 30, 1902?—A. I did not; I assumed that was part of the duties of the attorneys for the contestant.

Q. So that, as far as you know, the cause of the adjournment was simply an absence of witnesses in this case?—A. It might have been; I don't pretend to say; I did not inquire particularly.

Cross-questioned by Mr. KINSEY:

Q. Are the witnesses who have been examined before you to-day clerks in the office of the election commissioners?—A. I so understand them to be.

Q. Is it not a fact, Mr. Sanders, that an attempt has been made to finish this work on or before Saturday night with a small force, and that it has developed that the work could not be done without increasing the force, and the witnesses examined by you to-day are a part of the increased force furnished by the contestant by the election commissioners?—A. That is my information.

By Mr. WALSH:

Q. Do you know when the demand for the increased force was made on the election commissioners?—A. I do not recall just the day when the demand was made.

Mr. KINSEY. As one of the attorneys for the contestant I am not claiming and have not claimed that the election commissioners have delayed the proceedings of this court.

At 11.10 p. m. the further taking of these depositions is adjourned until to-morrow morning at 9 a. m., December 31, 1902.

Pursuant to adjournment as above expressed, I commence the further taking of testimony in this cause at the hour of 9.30 a. m. this 31st day of December, 1902.

Number.	Name.	Address.
186.....	A. R. Mitchel	1714 Chestnut street.
187.....	Jno. Byrne	100 North Nineteenth street.
188.....	Wm. Carney	18 South Seventeenth street.
189.....	Chas. Stoney	100 North Nineteenth street.
190.....	Geo. Story	100 North Nineteenth street.
191.....	Harry Williams	100 North Nineteenth street.
192.....	James Quinlan	1604 Market street.
193.....	Martin Reitz	41 South Sixteenth street.
194.....	Geo. U. Moore	1706 Market street.
195.....	Jno. Wilson	1600 Market street.
196.....	Ed. Riley	1725 Market street.
197.....	Frank Brown	1801 Chestnut street.
198.....	Dan Russell	1823 Market street.
199.....	Alex Hartmann	213 South Sixteenth street.
200.....	Sam Snodgrass	1725 Market street.
201.....	Jno. Frank	1600 Market street.

Number.	Name.	Address.
202.....	Dan McCormack.....	17 Moore street.
203.....	James Mahar.....	18 South Seventeenth street.
204.....	John Mahar.....	1725 Market street.
205.....	Sylvester Chanvin.....	1927 Market street.
206.....	Ed Isabell.....	1614 Market street.
207.....	Fred Hubbard.....	33 South Sixteenth street.
208.....	Richard Repmann.....	1717 Market street.
208.....	Richard Repmann.....	1707 Market street.
209.....	Otto Fisher.....	1701 Market street.
210.....	Pat McAllister.....	201 South Sixteenth street.
211.....	Wm. Baskurd.....	1705A Market street.
212.....	Henry Startmann.....	1701 Market street.
213.....	Rudolph Shellhammer.....	2 South Eighteenth street.
214.....	Chas. Mitchel.....	1714 Chestnut street.
215.....	L. W. Chase.....	15 North Eighteenth street.
216.....	Tony Ceper.....	108 South Seventeenth street.
217.....	Wm. G. Schmidt.....	1701 Market street.
218.....	Louis W. Schoenthaler.....	13 Moore street.
219.....	Jno. Speicher.....	108 South Seventeenth street.
220.....	Robt. Chaple.....	22 Moore street.
221.....	Peter Chanvin.....	1927 Market street.
222.....	Peter Walsh.....	203 South Sixteenth street.
223.....	Len Davis.....	1710 Chestnut street.
224.....	W. J. Miller.....	23 South Sixteenth street.
225.....	Jno. Corcoran.....	201 South Sixteenth street.
226.....	R. J. Carmichael.....	107 North Eighteenth street.

NOTE.—Where the voting number has been duplicated it indicates the difference in the two poll books.

By Mr. KINSEY:

Q. Will you examine the certificate of the judges and clerks of these poll books and state vote received for the several candidates for Congress for the short term in the Twelfth district?—A. James J. Butler received 164 votes; George R. C. Wagoner received 48 votes.

Q. State whether 4 judges and 2 clerks signed this certificate?—A. Yes.

ST. LOUIS, *January 28—10 a. m.*

TESTIMONY IN REBUTTAL.

I now resume the taking of testimony in the contested election case wherein George C. R. Wagoner is contestant and James J. Butler is contestee, and I offer in evidence notice and ask that it be marked "Exhibit 1."

Contestee desires to note his objection in protest to the taking of any evidencer in this matter at this time for the reason that the only notice that the contestee or his attorneys have received of the intention of the contestant to take any testimony was served on Henry M. Walsh, one of the attorneys for the contestee, at 4.15 p. m., January 26, 1902, as the entry made by Mr. Syd Barnard shows, although as a fact it was actually on the day and date mentioned, 1903; and this notice contains no information of the contention of the contestant to take any testimony in rebuttal, contrary to revised section 109 of the United States Statutes, as set out on page 8 of rules of the Committee on Elections No. 2: "The notice shall be served so as to allow the opposite party sufficient time by the usual route of travel to attend and one day for preparation, exclusive of Sundays and the day of service; testimony in rebuttal may be taken on five days' notice." And if this contestant at this time desires to take any evidence in chief or direct testimony, that the contestant was specifically limited to fifteen days for the taking of direct testimony, and the resolution of the committee states that the contestant shall be allowed from December 15, 1902, until and including January 3, 1903, in which to take testimony—lines 7, 8, 9, and 10—and the contestant shall be allowed from January 27, 1903, until and including February 1, 1903, for the taking of testimony in rebuttal—lines 13, 14, and 15 on the face of the resolution, and 1 and 2 on page 2. Any witnesses who are introduced at this time are introduced over the express protest here filed.

Colonel HOLTCAMP. I desire to ask whether the contestee enters his appearance here for the taking of testimony?

Mr. WALSH. Solely and only for the purpose of protecting the interest of contestee, under compulsion, believing that it is necessary for the purpose of preventing the introduction of witnesses at this time which should have no place in the record, and to prevent any future statement that contestee neglected to look after his rights and interest.

Colonel HOLTCAMP. I desire to ask attorney for contestee whether he has ever appeared in any other capacity than to protect the interests of the contestee in these proceedings.

Mr. WALSH. I am entering appearance under protest for the reason stated, and in spite of the expressed ruling which the committee made in this connection, and in spite of the fact that it has already been shown that the notice which has been filed does not specify any intention on the part of the contestant to take evidence in rebuttal.

FRANK WAHL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Frank Wahl, 504 South Second.

Q. What is your business?—A. Butcher.

Q. Did you reside there on the 4th day of November, 1902?—A. Yes, sir.

Q. Did you vote at the election held on that day?—A. Yes, sir.

Q. In what precinct?—A. Fourth street; what precinct is that?

Q. I don't know, Mr. Wahl.—A. Fourth and Spruce.

Q. The second precinct?—A. That is right.

Q. Of which ward?—A. Fifth Ward.

Q. I will ask you to state whether you saw your ballot deposited in the ballot box.—A. That is right.

Q. I will ask you to state, if you will, for whom you voted for Congress for the short term.—A. Straight Republican ticket.

Q. Who did you vote for for Congress?—A. I voted straight Republican.

Q. For George C. R. Wagoner for the short term?—A. Yes, sir.

Q. Now, if the ballot and the poll books should show that you voted for James J. Butler, what would you say?—A. I didn't vote for him.

Q. You didn't vote for him?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Where did you say was the polling place?—A. Fourth and Spruce.

Q. That is where you cast your vote?—A. Yes, sir.

(Witness excused.)

WITNESS [standing in the doorway]. I mean Second and Plum.

Mr. WALSH. Come back here and let me ask you some further questions. Where do you say you lived?—A. 504 South Second.

Q. Now you want to correct your statement?—A. I was mistook; that was the primary election.

Q. That you voted at Fourth and Spruce?—A. At Fourth and Spruce. I voted on Second and Plum.

Q. At 603 South Second street?—A. Yes, sir; the barber shop.

Q. That was at the election when you stated you voted at Fourth and Spruce?—A. Primary election.

Q. Who was it told you where you voted? You are the witness who was just on the stand?—A. I made a mistook.

Q. You are the witness who testified a few moments ago?—A. Yes, sir.

Q. At one time you stated you voted at Fourth and Spruce and then at Second and Plum.—A. I was mistaken—at the primary.

Q. Do you know whether you voted at all?—A. Yes, sir.

Q. You are sure of that?—A. Yes, sir.

Q. Who was it told you you voted at Second and Plum?—A. Somebody just now; I don't know who it was.

Q. Now you say positively that you voted at Second and Plum?—A. Yes, sir.

A VOICE. Poplar.

Mr. WALSH. Mr. Notary, I have got to ask you to let us have order. I am not going to have some other witness prompting this witness, and he has got to get out of here. He will have to stop.

The NOTARY. Sit down. You must not prompt the witness at all.

Q. Do you know where you voted?—A. I voted at Poplar and Plum.

Q. A moment ago you said Fourth and Spruce.—A. I did make a statement.

Q. And now you mean to tell us it was Second and Plum?—A. I voted at Fourth and Poplar.

Q. Where?—A. I was mistook.

Q. Where did you say you voted?—A. Between Poplar and Plum.

Q. What did you say?—A. I made a mistake.

Q. What did you say?—A. I said on Fourth street.

Q. Fourth and what?—A. And Spruce; I said that.

Q. Before you stated you voted—A. I was thinking in the primary election.

Q. You stated Fourth and Spruce?—A. Yes, sir.

Q. To whom were you talking?—A. To a man there.

Q. Heinz—that old gentleman?—A. I don't know; somebody. I made a mistake.

Q. And he told you Second and Plum?—A. I think so.

Q. You now state you voted at Second and Plum?—A. That is right.

Q. Then this man, some one here, told you you voted at Second and Poplar?—A. That is a mistake.

Q. Do you know where you voted?—A. Second and Plum, between Poplar and Plum, on the west side.

Q. Now, is your memory just as good on the question of who you voted for?—A. I think so.

Q. You think it is?—A. Yes, sir.

FRANK HEINZ, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Will you state your name?—A. Frank Heinz.

Q. Where do you live?—A. 419 South Second.

Q. Did you vote at the last election?—A. Yes, sir.

Q. On the 4th of November, 1902?—A. Yes, sir.

Q. Where did you vote from?—A. Fifth Ward, second precinct.

Q. And you were living at your present address on the day of election?—A. Yes, sir.

Q. You voted at the second precinct of the Fifth Ward?—A. Yes, sir.

Q. Now, will you state for whom you voted for Congress for the Twelfth Congressional district, short term?—A. Straight Republican ticket, except one.

Q. Will you state whom you voted for for Congress?—A. Wagoner.

Q. George C. R. Wagoner?—A. Yes, sir.

Q. If your ballot should show and the poll book record should show you as having voted for James J. Butler, what would you say?—A. I did not.

Cross-examination by Mr. WALSH:

Q. You were a judge in the polling place?—A. Yes, sir.

Q. Who deposited your ballot in the ballot box?—A. Weatherford.

Q. Did you see him deposit your ballot?—A. Yes, sir.

Q. You only scratched off one on your ticket?—A. Yes, sir.

Q. You know your ballot as you fixed it was deposited?—A. Yes, sir.

Q. When you gave your ballot to Weatherford, did anyone else handle it other than yourself?—A. Not that I know of.

Q. You handed it right to him?—A. Handed it to him; I didn't move away from the table; made it out on the table.

Q. You were right there all the time?—A. All the time.

Q. Did any one tamper with it?—A. Not that I know of.

Q. You had an opportunity to see how the ballots were handled?—A. I watched everything.

Q. Don't you know that the ballot was not in any way tampered with or interfered with—nobody touched your ballot after you handed it to the judge?—A. No, sir.

Q. Until the count at night?—A. No, sir.

Q. Did anyone touch it or make any mark on it?—A. Nobody, except the judges.

Q. And they simply straightened out the votes at night?—A. That is right.

Q. Did they alter it or make any changes on it?—A. No, sir; not that I know of.

Q. You were there all the time; you saw every ballot handled?—A. Yes, sir.

Q. You know that your ballot that you fixed went into the box—A. I know that.

Q. Was your ballot numbered?—A. Yes; initials on, too.

Q. So that you know your ballot was deposited in the box, not tampered with in any way, and if it is shown by the record that you voted for some one else, don't you believe that record is incorrect?—A. I should think so.

Q. If anyone else says that your ballot has been tampered with, you know it has not, do you not?—A. No, it has not.

Q. You saw the ballot deposited in the box?—A. Yes, sir.

Q. You were there all the time and during the count, and the ballot box was not opened until night and no one touched your ballot, you know that?—A. Yes, sir.

Q. You are positive you saw the ballot go into the box, and you saw them taken out, you were there assisting in the counting of ballots, you know no one else touched it, don't you?—A. Yes, sir.

Redirect examination by Mr. HOLTCAMP:

Q. In the evening when the ballot box was opened, and the ballots were taken out, who took them out and straightened them out, which judge?—A. Well, if I ain't mistaken, Weatherford, he pulled them out and put them on the table, and then we all got at them, Republican and Democrat.

Q. Who was Weatherford?—A. He was one of the Democratic judges; he had the box.

By Mr. WALSH:

Q. Now, Mr. Heinz, when the ballots were taken out did you all take a hand in taking the ballots out of the box?—A. Well, one took the box and dumped the box right on the table.

Q. Then you all assisted in the straightening out?—A. We did, Democrats and Republicans, we counted them and put them on a string.

Q. The four judges, the Democrats and the Republican judges, stood around the table where the ballots had been emptied from the box, sorted the ballots out, arranging them according to the straight and the scratched tickets, and then counted them?—A. Yes, sir.

Q. During the time from the time that box was opened and the ballots emptied on the table, did anyone touch the ballots, if so, explain what happened?—A. Nobody except the judges.

Q. Did they make any alterations or erasures on any of the ballots?—A. Not that I know.

Q. You were there all the time?—A. Yes, sir.

By Mr. HOLTCAMP:

Q. If there were any alterations, you don't know it?—A. I don't know it.

JOHN W. BARDENHEIMER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. John W. Bardenheimer.

Q. Where do you live?—A. 420 South Second.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote on election day last year?—A. Yes, sir.

Q. What ward and precinct?—A. Fifth Ward, second precinct.

Q. Now, will you state for whom you voted for Congress for the short term in the Twelfth Congressional district?—A. For Mr. Wagoner.

Q. And if the ballot and the poll books should show that you voted for James J. Butler, what would you say?—A. I didn't vote for him.

Cross-examination by Mr. WALSH:

Q. Mr. Bardenheimer, what is the name of the place where you live?—A. European Hotel.

Q. Called the Bakers Home?—A. Yes, sir.

Q. How long have you lived there?—A. Been living there off and on since '78 in that building; since 1894 steady.

Q. Do you know all of the persons who live in that building?—A. No, sir; I don't.

Q. Have you been living there since '78?—A. Well, people come and go; I said '78, off and on; been there steady the last eight or nine years; I haven't been working.

Q. Then you have been down there since 1894?—A. Yes, sir.

Q. Live there continuously?—A. Yes, sir.

Q. You don't know how many reside there, do you?—A. I don't know how many; I know men from associating with them.

Q. Do you know Joseph Graft: did he live there?—A. That is what he did; he went to vote.

Q. Do you know Alex Yost?—A. He is boarding there; I don't know if he was down that day; he lives there off and on, boarding, like a baker.

Q. Ernest Henlein?—A. Henlein; well, I couldn't say I know all of them; I know about four.

Q. Do you know Charles Hesser?—A. He was living there.

Q. Do you know Adam Heizelman?—A. He is the proprietor of the place.

Q. What party is he connected with?—A. More than I can tell, the man's politics; I consider him Republican; I don't know what every man's vote.

Q. He is considered a Republican and has served as Republican judge?—A. I believe he has; not the last three years.

Q. But he has served as Republican judge?—A. He has already.

Q. Do you know if he was a Democrat that he would not be serving as Republican judge?—A. Men vote Democrat or Republican once in a while.

Q. Do you?—A. I may scratch tickets.

Q. Did you scratch your ticket?—A. No, sir.

Q. You voted the straight Republican ticket?—A. That is what I did.

Q. Without any scratch?—A. Except the charter amendments—some of them; I couldn't vote all of them; I don't exactly know—three or four.

Q. Do you know whether you scratched the last amendment or not?—A. I don't know exactly.

Q. Do you know what place on the ticket the Congressional candidates were put?—A. Well, no.

Q. You don't know whether they were put down near the charter amendments or not, do you?—A. I couldn't swear they were; I never paid so much attention to anything.

Q. In scratching the charter amendments, you don't know which you scratched or whether they were near the candidates?—A. I don't know that.

Q. You feel sure you did not scratch the candidate?—A. I am not sure of that.

Q. You did scratch the charter amendments?—A. Not all of them; some of them, I said.

Q. Do you remember which ones you scratched?—A. I think I voted 1, 2, and 3; I ain't certain.

Q. You scratched off 4, 5, 6, 7, and 8?—A. I don't think there was any 8; I don't remember how many amendments we had; I don't know now any more, I said.

Q. You don't know whether you scratched the last amendment on the list of amendments or not?—A. No.

Q. You don't remember that?—A. No.

Q. You don't know whether in scratching these amendments you inadvertently scratched the name of the Congressman?—A. No; I know I didn't.

Q. Although you don't know, you say, whether you scratched the last amendment or not?—A. I don't.

Q. Well, you feel positive that you did not scratch the last amendment, do you?—A. I don't say I didn't.

Q. But you do feel positive that you did not scratch the Congressman in scratching the last amendment?—A. I didn't scratch the Congressman. Which Congressman?

Q. The Republican nominee for Congress.—A. No; I didn't.

Q. If in scratching the amendment you inadvertently scratched Congressional nominee—A. I know I didn't.

Q. Do you know whether you scratched the last amendment?—A. I don't know; I didn't pay that much attention.

Q. Then you can't be positive whether you scratched the Congressional candidate in scratching the amendment?—A. I am positive of that.

Q. What makes you so positive of that?—A. Because I vote the Republican ticket straight.

Q. Yes; but you don't know whether you scratched that last amendment, you say positively you couldn't have scratched any candidate—the Congressional candidate?—A. No.

Q. You feel positive on that point?—A. I am positive on that point.

Q. You don't know whether you scratched that last amendment or not?—A. Those amendments—I am not positive.

Q. How many live at 420, this place where you live?—A. I can't tell you.

Q. Do you know about fifty?—A. No.

Q. Ten?—A. There is more than ten; might be twenty—I don't know; I never counted them. I never asked nobody.

Q. Do you know all of those who were there who were voters on election day?—A. I know pretty well.

Q. Give me a few of them that you know.—A. Nick Heizelman, Bill Balle, Albert Kuhn—I don't know anything as to those stopping there.

Q. Don't you know whether they were voters?—A. No; I don't.

Q. Who else?—A. Peter Schafer; but he was not there last fall.

Q. Do you know some more?—A. Of course; there is John Homan—he ain't there at present.

Q. Was he there on election day?—A. I don't know. Jan Forst—I believe that is pretty near all; I don't say all, because I can't know the names in the place.

Q. Now, you have lived there continuously since 1878?—A. I came there in 1878.

Q. You have been there practically all that time?—A. No; I didn't, because I worked out. I been living there since 1894.

Q. Continuously?—A. Yes, sir.

Q. Then you have been living there since 1894, and you can only name four of the people that are living there that you know to be voters?—A. Of course, I don't know. I don't inquire if the people be voting.

Q. The men that you know are over the age of twenty-one that are there. I would like to get you to name them.—A. An old Frenchman named Stanton; but I don't know if he votes or not.

Q. Now, the persons whose names appear on the printed list at 420, you know five, in addition to yourself?—A. If I seen a man around, why, of course, I know him by sight.

Q. You have been around there for nine years—you put in nine years there; in your nine years' residence in that house you can certainly recall five persons in that house. You know that Mr. Heizelman, the proprietor, is a Republican, or at least has served as a Republican judge?—A. He has served, I know; I don't know as a judge or not. He was interested in politics, yes.

By Mr. HOLTCAMP:

Q. How old are you?—A. Fifty-six next month.

STEPHEN SCHLOSS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name and where do you live?—A. Stephen Schloss, 117 Valentine street.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote at the election held on that day?—A. Yes, sir.

Q. Where did you vote, which precinct and ward?—A. Second and Plum.

Q. Second precinct, Fifth Ward?—A. Second and Poplar.

Q. That is the second precinct of the Fifth Ward, is it?—A. Yes, sir.

Q. Will you state who you voted for for Congress for the short term?—A. Yes, sir.

Q. Who was it?—A. I vote Republican ticket.

Q. Will you state who you voted for for Congress?—A. I voted for the Congress; I vote the whole ticket.

Q. Straight Republican ticket?—A. Yes, sir.

Q. Do you know what that is?—A. Republicanischer ticket.

Mr. HOLTCAMP. The Republican ticket?

(Attorney for contestee objects to the attorney for contestant's interpretation of German into English, unless he is sworn.)

Mr. HOLTCAMP. You didn't scratch your ticket at all, did you?—A. No.

Q. Now, if the ballot that you cast and the poll books should record you as having voted for James J. Butler, what would you say?—A. I did not vote for him.

Cross-examination by Mr. WALSH:

Q. Now, Mr. Schloss, who was the Republican candidate for Congress?—A. I know Butler was on the Democratic ticket. I didn't vote the Democratic ticket; that is what I know. I know Butler was the Democratic man, not Republican.

Q. Who was the representative candidate for Congress on the Republican ticket?—A. I don't know. I voted the whole ticket right through; I never scratched it.

Q. You didn't make a mark on the ballot?—A. No, sir.

Q. What is your business?—A. Scrap iron.

Q. You buy copper and lead?—A. Sure: we got it down all the time.

Q. Are you the Mr. Schloss who got into a little trouble in connection with buying some copper stolen from the Mississippi Valley Trust Company?—A. What says that? Who says that?

Q. I am asking you?—A. I am asking you who says that?

Q. Are you the Mr. Schloss?—A. You got a partner here?

Q. I am asking you, Mr. Schloss, if you are the Mr. Schloss who got into a little trouble receiving stolen goods?—A. We got some witnesses here that swear how you put my name in here. I bring a suit for damages if you bring such a cause here, copper stealing from the Mississippi Valley—I don't answer a damn bit no more.

Q. Are you the Mr. Schloss I am referring to, whom Cal Hirsch—A. Cal Hirsch, he is the man; no, I ain't the same: somebody else stole that. Cal Hirsch bought that copper from the Mississippi Transportation Company, and Hirsch he brings the witnesses on the court and he said I bought it, and he bought it, and after the man he took it Cal Hirsch he bought it. That suit cost me \$10,000, that costs on me: Cal Hirsch, he makes the money; we got witnesses to prove that.

Q. Cal Hirsch was the man?—A. He was the man; put it down, lady: that's right.

Mr. HOLTCAMP. You don't have to answer that if you don't want to.

The WITNESS. I lost about \$10,000 in that suit—the Mississippi Transportation Company—and Cal Hirsch he bought it, and he used the money and he tried to put it on me.

Q. Do you know a man by the name of Bill Dwyer?—A. That is the man that stole it; that is right; I answer you that: take that down, lady.

Q. How long ago was that?—A. About 1882 we sued the company.

Q. And it cost you \$10,000?—A. We were about that many years in the court—fifteen years; you know that is the way.

Q. Haven't you been arrested since for receiving stolen goods?—A. Never: I am pretty nearly thirty-two years in St. Louis; ask the judges—ask Chief Desmond—

Q. Were you arrested for receiving stolen goods?—A. Never been. We got our scrap iron in Kraus's place, Fifth and Plum—Walnut.

Q. Was there any metal stolen and afterwards found in your place?—A. No; I never been arrested, you know; I am thirty-two years here; you ask Chief Desmond—take the telephone here and ask him.

Colonel HOLTCAMP. That has nothing to do with this case, and I ask you to desist or I will order the witness from the chair.

Mr. WALSH. I have a right to question his character.

(The witness is ordered from the chair by C. W. Holtcamp, attorney for contestant.)

Mr. WALSH. I protest against your leaving.

Mr. HOLTCAMP. You are my witness; go on out.

Mr. WALSH. I ask you to remain.

The NOTARY. I am not going to put any immaterial matter into this case.

Mr. WALSH. Then you are passing on this case?

The NOTARY. No; I am simply stopping the confusion in the court room.

(By reason of an order from the attorney for contestant the witness is withdrawn from the chair, and contestee objects for the reason that he has not yet finished his cross-examination.)

Mr. WALSH. I have not yet finished with the witness; the witness has gone over my objection and I want the record to show it.

Mr. HOLTCAMP. You confine yourself to the proper questions and I will allow my witnesses to remain.

Mr. WALSH. You bring a witness in that I know nothing about and I will question his character.

Mr. HOLTCAMP. You do as you please—

Mr. WALSH. No; I don't when you take the witness away.

Mr. HOLTCAMP. You are attempting to take up my time with immaterial matters.

Mr. WALSH. I am endeavoring to find out what the man's character is.

(Attorney for contestant desires the record to show that the last-named witness, Schloss, was directed by attorney for contestant to leave the witness stand for the reason that the cross-examination of attorney for contestee had gone clear out of the record, as far back as 1882, and that it was done solely for the purpose of consuming the time of the contestant in the taking of testimony in rebuttal.)

Attorney for contestee states that the examination which was being conducted was cross-examination, the attorney for contestant having placed the witness on

the stand. Contestee was examining him to discover whether or not the witness himself was a credible party, and the sole object of the questioning on the part of the attorney for contestee, as the record will show, was to ascertain if the party had been arrested for receiving stolen goods and for that purpose alone, and any encumbering of the record was by reason of the fact that the witness which the said contestant placed upon the stand became unduly excited when the question was asked of him and seemed to be making an effort to explain something which was of serious moment to him.)

Mr. HOLTCAMP. If the record could show photographs, we would see which was the most excited, attorney for contestee or witness.

JULIUS WILKEN, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. State your name.—A. Julius Wilken.

Q. Where do you live?—A. 118 Valentine street.

Q. Did you live there on the 4th of last November?—A. Yes, sir.

Q. Did you vote from that place?—A. Yes, sir.

Q. Where did you vote, in which precinct and ward?—A. Second precinct, Fifth Ward, I think. The number is 603 South Second.

Q. Will you state who you voted for for Congress for the short term?—A. I voted for Wagoner.

Q. George C. R. Wagoner?—A. Yes, sir.

Q. If your vote and the ballot, the poll books, should show that you voted for James J. Butler, what would you say?—A. That is not true.

Cross-examination by Mr. WALSH:

Q. Where do you live, Mr. Wilken?—A. 118 Valentine street.

Q. What do you do?—A. Laboring.

Q. For whom do you work?—A. For the city, on the streets, laboring.

Q. You are a laborer on the streets now?—A. Yes, sir.

Q. Under the Democratic administration?—A. Yes, sir.

Q. And you voted the straight Republican ticket?—A. Yes, sir.

Q. And how long have you been living at 118 Valentine street?—A. Not quite a year, I guess.

Q. Where were you born?—A. I was born in Germany.

Q. How long have you been in this country?—A. Since 1885.

Q. How old are you?—A. I got to figure first—something like 34—I was born in 1866; you can figure that; I forget my age.

Q. And were you ever naturalized?—A. Yes; naturalized at Council Bluffs, Iowa.

Q. When?—A. I think in February of 1885 or 1886—February of 1886.

Q. A year after you came to this country?—A. Was naturalized about a year later.

Q. In Council Bluffs?—A. Pottawattamie County.

Q. And you came to this country in 1885 and were naturalized in 1886?—A. As near as I can remember it; something like that; I am over twenty years in this country; something like that; I think I came here some time in 1885, as near as I can recollect.

Q. What month were you born?—A. July.

Q. Do you remember in what month you were naturalized?—A. I couldn't say, but I think February.

Q. February of 1886, that is what you said?—A. 1886 or 1885; my memory is not good enough to state exactly.

Q. You feel sure that you were born in 1866?—A. That I am sure.

Q. You came to this country in 1885; something like that?—A. Yes, sir; I can't remember.

Q. You were naturalized in February, 1886?—A. Something like that, as near as I know.

EMIL A. REMMLER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Emil A. Remmler.

Q. Where do you live?—A. 613 South Second.

(Objected to for the reason that this witness states that he resides at 613 South Second, while the notice calls for 612.)

Q. Where did you live on the 4th day of last November?—A. 613 South Second.

Q. Did you vote in that precinct?—A. Yes, sir.

Q. What ward and precinct is that?—A. Fifth Ward, second precinct.

Q. Will you state for whom you voted for Congress in the Twelfth Congressional district for the short term?—A. Wagoner.

Q. If your ballot and the poll books show you as being recorded as having voted for James J. Butler, what would you say?—A. I say I voted for Wagoner.

Q. Then you did not vote for James J. Butler?—A. No, sir.

Q. What is your business?—A. I was in the recorder's office; now I am employed in the contest.

Q. You are employed by George C. R. Wagoner, the contestant in this case?—A. Yes, sir.

Q. What are you doing?—A. Clerk for him.

Q. What do you mean by that?—A. Doing clerical work.

Q. Clerical work, making out subpoenas?—A. Yes, sir; what other clerks do.

Q. Did you get up this caption on the notice?—A. No, sir.

Q. Haven't you been making a canvass in the various precincts endeavoring to discover how persons voted from what they said to you?—A. Yes, sir.

Q. That has been part of your business as clerk—you were trying to ascertain for whom the men voted?—A. Yes, sir.

Q. And did you, in doing clerical work, make your comparisons between the polling book and the vote as discovered by the examination of the books at the city hall?—A. No, sir.

Q. What was your method, or how did you do to discover what you were after?—A. I was given the notice.

Q. Who gave you the notice?—A. John B. Owen.

Q. The gentleman from the Sixth Ward?—A. Yes, sir.

Q. The gentleman who conducts some kind of a tax bureau?—A. Yes, sir.

Q. He is in charge of Mr. Wagoner's work?—A. Yes, sir.

Q. What kind of a notice was it?—A. He just gave me a list to go and see these people.

Q. A list of names to go to see?—A. Yes, sir.

Q. You would go and ask a person if they voted for Mr. Wagoner?—A. No, sir; I just go and ask whether they voted or not.

Q. You simply asked if they voted or not?—A. Yes, sir.

Q. These names which were given to you were, to your knowledge, all Republicans?—A. You don't expect me to go to Democrats, do you?

Q. I am asking you the question.—A. I go to my friends. I am forty years in that ward.

Q. How old are you?—A. Forty years old.

Q. But you haven't been a voter forty years?—A. Been a voter pretty near eighteen years in this ward.

Q. So that your residence in that ward for forty years does not count for as much as it would seem—several years you were an infant or a mere child?—A. Certainly.

Q. Will you answer my former question?

(Question read.)

A. Yes, sir. Well, the question was put as to whether I went around to see people that were all Republicans; you questioned me about just the Republicans. You know when I go around canvassing I canvass the ward and I canvass it accurately.

Q. I had reference to the work you have just done, that you are now doing.—A. The work that I have been doing? I made a mistake in telling you that I went to Republicans; I canvassed thoroughly.

Q. Didn't Mr. Owen give you a list?—A. I told you that.

Q. This list of names, was it a list of names of persons whom you knew were Republicans?—A. Sometimes I came to a man who was not a Republican.

Q. Well, that was an accident; that was a little accident. I meant when you went to those that Owen sent you to; you knew practically all those were Republicans; you asked them whether they had voted for Wagoner or for Butler, didn't you?—A. The question was put—

Q. No; answer this question.—A. I only asked whether they voted.

Q. Then if they told you they did, you asked if they voted for a member of Congress?—A. I just asked whether they voted; that's all.

Q. Didn't you confine your questions to the judges and clerks in your precinct?—A. No, sir; I am pretty well acquainted; I go around myself.

Q. In your ward?—A. I am well posted in that ward; I am well posted; I am just as well posted as the other side is.

Q. You haven't been in politics in your ward all of forty years, have you?—A. I mean that my age is 40; I haven't been working for forty years; I couldn't.

Q. How long have you been working?—A. I was born and raised in that ward; been there forty years.

Q. And you have been an active political worker for many years?—A. Yes, sir.

Q. Always held some political office?—A. Yes, sir—no, not always; been in the office only about seven years; had political work about six years.

Q. Were you employed by Christ Schawaker?—A. Yes; some years ago.

Q. Were you connected with Schawaker at the time when Schawaker's Indians were abroad?—A. Yes; and Butler's.

Q. You were his clerk at the time when the famous tribe of Schawaker Indians were on the warpath?—A. I couldn't very well speak about that; Schawaker is not in political ways now.

Q. He is not in political ways now because you and some other fellows shoved him out.—A. I am a friend of Schawaker's.

Q. When did you become friendly to Schuler?—A. During the last election.

Q. And at the other time Schawaker was your friend?—A. We are friends to-day.

Q. Now you're more friendly with Mr. Schuler?—A. That's politics.

Q. It's kind of looking at the side your bread is buttered on?—A. Yes, sir.

Q. I neglected to ask you one question. Did you see your ballot deposited in the box?—A. Yes, sir.

Q. You handed it to the judge, and you say that judge put your ballot in the box?—A. Yes, sir.

Q. Between the time you made up your ballot and the time it was handed to the judge it was not in anyone else's hands?—A. No, sir.

Q. Now, when that ballot went into the box it was absolutely the ballot that you yourself had fixed?—A. Well, when I came out of the polling booth I handed it to Matfield. He told me to drop it in.

Q. Then you know that it went into the box?—A. What they done later on I don't know.

Q. At the time that the ballot was placed in the box you know of no alteration?—A. No; I know of none.

Q. You saw the number and saw the initials on it, and you know that the ballot went into the box?—A. Yes, sir; I went into the booth and fixed that ballot, and they told me to drop it in the box.

Q. You don't believe these men tampered with it?—A. No, sir.

Q. You believe they are perfectly honest?—A. Well, yes.

Q. You would trust them—you don't feel that Mr. Matfield is a dishonest man?—A. No.

Q. You believe these men to be perfectly honest—you knew them?—A. Yes, sir; I believe they are honest.

Q. You would not charge them with having altered your ballot, so that if there was any alteration or a report that your ballot had been counted for anyone other than Wagoner, you would not charge them with dishonesty?—A. No, sir.

Q. Don't you feel that these judges were honest?—A. Well, I think that the judges were; at the same time I guess my ballot—when I cast the ballot I handed it to Matfield, and Matfield and the other judge says, "Drop your ballot in." That is all there is to it.

Q. Didn't touch the ballot; they let you drop it in; asked you to do that?—A. That's all I know.

Q. Is this James A. Remmler of 419 South Second street any relation to you?—A. That is my brother.

Q. Do you know Phil Munt?—A. Yes, sir.

Q. He was the Republican judge?—A. No, sir; he was clerk.

Q. You know he was Republican; you feel that he is honest?—A. Yes, sir.

JOHN H. JOHNSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. John H. Johnson.

Q. Where do you reside?—A. 311 Poplar street.

Q. Did you reside there on the 4th of last November?—A. I did.

Q. Did you vote from there?—A. Yes, sir.

Q. Where did you vote?—A. Second street, just south of Poplar.

Q. Second precinct, Fifth Ward?—A. Second precinct, Fifth Ward.

Q. Are you willing to state for whom you voted for Congress for the short term for the Twelfth Congressional district?—A. I voted a scratched ticket—Republican ticket scratched.

Q. I will ask you if you are willing to tell us for whom you voted for Congress?—A. I prefer not to.

WERNER BEERLI, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Werner Beerli.

Q. Where do you reside?—A. 605 South Second.

Q. Did you live there on the 4th day of last November?—A. I did.

Q. Did you vote from there?—A. Yes, sir.

Q. What precinct and ward?—A. Fifth Ward, second precinct; No. 603, next house.

Q. Will you state for whom you voted for Congress for the short term.—A. Wagoner.

Q. If your ballot and the poll books should show you recorded as having voted for James J. Butler, what would you say?—A. It was a lie or a mistake.

Q. It was a lie or a mistake?—A. I voted the straight Republican ticket.

Q. And you voted for Mr. Wagoner?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. Your name is Burle?—A. B-e-e-r-l-i—Beerli.

Q. Is there any B-u-r-l-e at your place?—A. No, sir.

Q. When you went in to vote and secure your ballot, just state exactly what you did.—A. It is hard to say; I went in and asked for a ballot and they gave me—a man was standing near by me in company with Mr. Schawaker; this man told me, "He wants to know how you vote;" I heard the man say to show what I does; I took the first page, the Democrat, and showed the Republican ticket; showed this man, Ed. Morrison; "If you want to know," I told him, "I guess I vote Republican; I am going to vote straight Republican;" I went back and I said here is my vote, and they marked it and said I should put it in the box, so I did.

Q. You put it in the box?—A. Yes, sir.

Q. Who was the man standing next to you?—A. Edward Morrison.

Q. Edward Morrissey was the constable?—A. I don't know what he is; one of the leaders.

Q. Do you know him?—A. I believe I do.

Q. Do you think you would know him if you saw him?—A. Yes, sir.

Q. I ask you to look around the room and see if he is here?—A. (After looking around the room, scrutinizing the faces of different individuals, pointing to a man in the rear.) There he is.

Q. That old gray-haired man?—A. The next one there.

Q. Is that the one?—A. He looks everything like him, he does; his name is Edward Morrison.

Q. He is one of the leaders down there?—A. Schawaker was present, and I told Schawaker that was a man that was working for the Butler men.

Q. He was working with the Butler men?—A: So I heard; so I went right over and went out after casting my ballot.

Q. You heard Christ Schawaker say that he was working for Butler; he is a big Republican politician?—A. They claim he was.

Q. He has always been a strong Republican worker?—A. I heard so.

Q. Now, you say that this Edward Morrison—do you mean Morrissey?—A. He was living upstairs in the house No. 602, the next house to the drug store; he was living upstairs.

Q. On Broadway?—A. On South Second.

Q. He is a prominent Democratic worker?—A. He was one by this election, yes, sir; I have not seen him since.

Q. He is not in the room here now?—A. No; I don't see him.

Q. Does this gentleman look like him [indicating Mr. Edward Morrissey]?—A. No.

Q. Did this Edward J. Morrissey to whom you spoke, he is or was a candidate for constable at that election; that is not the gentleman you refer to?—A. No, sir.

Q. Who told you that was Edward Morrison?—A. Emil Remmler told me.

Q. That is the Republican official who has just left the stand?—A. Yes, sir; he told me it was Edward Morrison.

Q. The fellow in the polls?—A. No; this morning. The other time he calls him Morrissey, the other time.

Q. The fellow pointed out to you Edward Morrissey and told you he was a prominent Democratic worker?—A. That is what it was.

Q. Now, Mr. Beerli, do you know that the judges who were in the polls there—A. I don't know.

Q. Do you know Mr. Heinz?—A. I saw him. I didn't hear his name before.

Q. How long have you been in that precinct?—A. I have been there pretty near two and a half years. That is the first time I went to vote down there.

Q. Do you know any of the judges?—A. No; I don't.

Q. You don't know Mr. Munt?—A. No; I don't know one by name.

Q. Do you know Mr. Matfield?—A. I know him by sight. I saw him by the meeting.

Q. You don't know these men well enough to say whether you would trust them or believe them honest?—A. I don't by name. I don't know one by name.

Q. Did you have any conversation with Mr. Remunder before you came?—A. Yes, sir.

Q. What is your business?—A. I am a laborer for the Burlington Brake Company.

Q. You were laboring for the Burlington?—A. I did.

Q. How did you come to come here?—A. I don't know, only on last Monday morning I got a summon.

Q. Did anyone talk to you about this case?—A. No, sir; I was working at 800 South Second; I am sick now, so I stopped.

Q. Did anyone talk to you about this case this morning since you came?—A. No, sir; no one; I was here with this other man about 9 o'clock; we had to wait the whole morning in here; I was the first man.

Q. At the time you placed your ballot in the box you know that your ballot was just exactly as you voted?—A. Yes, sir.

Q. Was it numbered?—A. Yes, sir.

Q. Were the judges' initials on it?—A. Yes, sir.

Q. You put the ballot in the box yourself?—A. Yes, sir.

Q. So that you know your ballot was placed in that box absolutely without change of any kind?—A. Yes, sir.

JOHN BERGER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. John Berger.

Q. Where do you live?—A. 605 South Second.

Q. Did you live there on the day of the last election?—A. Yes, sir.

Q. On the 4th day of November you voted at that election?—A. Yes, sir.

Q. Where did you vote, what precinct and ward, do you remember?—A. I voted the straight Republican ticket.

Q. Where did you vote; what place?—A. Oh, at the first time, Fourth street.

Q. Not the primaries.

Mr. WALSH. We object to your coaching the witness.

Mr. HOLTCAMP. I don't care what you object to; I don't want to get into the record any testimony that has no relevancy.

Q. You say you voted the straight Republican ticket?

Mr. WALSH. I object to any information that is being given by attorney for contestant.

Q. I am asking a question; I mean on the 4th day of November, where did you vote?—A. 603 South Second.

Q. Second precinct, Fifth Ward?—A. Yes, sir.

Q. Will you state for whom you voted for Congress for the short term?—A. I vote straight Republican ticket.

Q. You voted the straight Republican ticket?—A. That's it.

Q. Did you vote for James J. Butler?—A. I say straight Republican.

Q. You didn't scratch?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Do you read English?—A. No.

Q. Do you write it?—A. No.

NEKLEY FERRISS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your name?—A. Nekley Ferriss.

Q. Where do you live?—A. 610 South Fourth street.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote at the election held on the 4th day of last November?—A. Yes, sir.

Q. Where did you vote?—A. 603 South second.

Q. Second Ward and fifth precinct?—A. Yes, sir.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted straight Republican ticket.

Q. You didn't scratch?—A. No.

Cross-examination by Mr. WALSH:

Q. Do you read English?—A. I read a few, not much; I can write my name; I could read print.

Q. You can read printing?—A. Yes, sir.

(Counsel prints the word "Democrat" and hands to witness.)

A. Yes, sir; Democratic, I know.

Q. You say you voted the straight Republican ticket?—A. I vote straight Republican.

Q. Did you make any alterations or scratches?—A. No.

Q. Do you know whether your ballot was deposited in the ballot box or not?—A. I did give it to them judges there and I don't know what they do; I saw it go in the box; I don't know who was in the box.

Q. You don't know who was in the box? Was it a large box?—A. No, no; about that much [indicating about 18 inches].

Q. Do you think anybody could go into that box?—A. I don't know.

Q. Did you suspect anybody being in the box?—A. I don't examine it.

Q. Indicate on the table the size?—A. I don't know how much.

Q. Large enough to hold a Democrat?—A. I was in a hurry; I have not looked.

Q. You were in a hurry; you went in and tore off your ballot; never stopped to say anything or to bother about it?—A. No.

Q. What kind of ballot did you call for? What did they give you?—A. They gave me the pack.

Q. Of ballots?—A. Yes, sir.

Q. What did you do?—A. I took the second one.

Q. And gave it to the judges?—A. Yes, sir.

Q. Without making any mark on it?—A. No.

Q. Never put a pencil to it?—A. Just handed to the judges and went out; that is all I know.

Q. Do you know, are you familiar with the general character of the Syrian vote?—A. I know some.

Q. Do you know how many voted?—A. Lots of them, Democrats.

Q. They had usually been Republicans, had they?—A. Some of them used to be; some Democrat; some Republican.

Q. Now, pretty near all of them are Democrats?—A. I couldn't say; I don't examine.

Q. Don't you think so?—A. I couldn't say.

Q. A Syrian Democratic colony down there?—A. Yes, some of them Democrat, some Republican.

Q. But the majority of them were out for Butler?—A. I have no time, I got a business to look after my business; I don't look to nobody else, Democrat or Republican.

Q. You don't look to everybody?—A. No.

Q. You didn't pay much attention to politics?—A. No.

Q. Don't you hear the Syrians that you know talk about it?—A. I hear some say, "I am a Democrat;" that is all I hear.

Q. Well, at the last election—at other elections they used to be Republicans?—A. I don't think I can answer; I didn't examine; I didn't look to them.

Q. There is quite a lot there, and quite a number of Syrians and Italians living in that neighborhood?—A. Some Italians; I don't speak with them.

Q. A great many Syrians—a Syrian colony?—A. Some on second, third, and fourth.

Q. You know that the second, third, and fourth precincts of the Fifth Ward is colonized with Syrians?—A. Mostly, yes.

Q. You know the precinct voters there pretty well along the second, third, and fourth precincts?—A. I couldn't know more; I don't know what they want to do.

Redirect examination by Mr. HOLTCAMP:

Q. When you were asked about the second, third, and fourth precincts, did you mean precincts or streets?—A. I mean the streets, Second and Third and Fourth streets—three streets; some of our people live there.

Q. You are a Syrian?—A. Yes, I am.

At this point an adjournment was taken until 2 o'clock p. m.

2 O'CLOCK P. M.

Counsel for contestant introduces in evidence notice of the taking of depositions on the part of the contestant on January 28, 2 p. m., being the present session.

P. J. CUNNINGHAM, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeseth and saith as follows:

Direct examination by Mr. HOLTCAMP:

(Counsel for contestee desires to enter the same objection to the introduction of any witnesses on the part of the contestant, for the reason that the time for the taking of evidence in direct has expired on the part of the contestant, and no notice has been furnished to either contestee or his attorneys with reference to the taking of testimony in rebuttal, in accordance with revised section 109 of the United States Statutes, and more particularly with reference to that portion of the section in which is stated (p. 8) the rules of the Committee on Elections No. 2, "Testimony in rebuttal may be taken on five days' notice," the notice counsel for contestee having received being the one served on Henry M. Walsh, one of the attorneys for contestee by Mr. Sidney Bernard, representative of the contestant at 4.15 p. m., January 26, 1902, as Mr. Bernard has certified in a memorandum on the notice served on the contestee, which was really served on the day and date mentioned, in the year 1903.)

Q. State your name and residence.—A. P. J. Cunningham.

Q. What is your business?—A. Wholesale woolen cloths; cassimers.

Q. In this city?—A. Yes, sir.

Q. Where do you reside?—A. 4152 West Pine.

Q. Where is your place of business?—A. Tenth and Locust streets.

Q. How long have you been in business here?—A. A little over twenty years.

Q. Your business is one of the large wholesale woolen businesses of this city, isn't it?—A. Well, we have a fair business; yes, sir.

Q. Do you know Mr. Antonio Cantoni?—A. Yes.

Q. How long have you known him?—A. Twenty years.

Q. Do you know what his reputation is for truth and veracity and general character in the city of St. Louis?—A. I think I do; I have been selling him all the time on open account during that time.

Q. Do you know him pretty well?—A. Know him well; yes, sir.

Q. Do you know what reputation and standing he has?—A. Yes; I do. I consider it a first-class one.

Q. A first-class reputation?—A. A No. 1; found him to be a clean-cut merchant, always reliable, at any rate to us, in every way.

Cross-examination by Mr. WALSH:

Q. Mr. Cunningham, what has been the nature of your connection with Mr. Antonio Cantoni?—A. Well, he comes into the store and buys goods from us—buys them on time. In a matter of that kind we generally look into them very closely—see if their reputation is good, etc.

Q. Buys on thirty, sixty, and ninety days' time?—A. And four months, if he wants to. He never buys on very long time; if he did, we are perfectly willing to give him the full limit of time that he wants.

Q. He is a man who in a mercantile way you are satisfied pays his obligations?—A. Well satisfied with him; yes, sir; as good as we have on our books.

Q. Now, that is a character or reputation, Mr. Cunningham, which a business man must secure if he intends to remain in business.—A. Yes; that is right.

Q. He must have the reputation for paying his bills?—A. Yes, sure.

Q. Do you know where Mr. Cantoni conducts his business?—A. Where; on the levee.

Q. Is that where he handles your goods?—A. Yes, sir.

Q. Is that where you deliver goods to him?—A. Yes, sir.

Q. Isn't it a fact that his tailoring establishment is uptown somewhere?—A. He may have opened a place; there is where he was originally.

Q. On the levee?—A. Yes; I haven't known him to have any place uptown.

Q. How long have you had him on the books?—A. You know I don't go out to visit them myself.

Q. You are the head of the concern?—A. Yes, sir.

Q. You don't go around—A. No, I don't solicit at all.

Q. And Mr. Cantoni's relations with your firm are purely those of a merchant buying goods?—A. Yes.

Q. Now, do you know what his reputation is for veracity?—A. Always heard that it was good; don't know anything—always heard it was first-class. Men who have been calling on him for twenty years say so—that they always found him that way.

Q. You have heard his veracity questioned, then?—A. Yes.

Q. How did it come up?—A. I heard in this particular case that there was somebody had said that it was questioned.

Q. Do you know what kind of an establishment Mr. Cantoni conducts on the levee?—A. Merchant tailoring; takes measurements, etc.

Q. Doesn't he handle second-hand goods down there? Doesn't he buy and sell second-hand goods?—A. I don't know, sir.

Q. Never visited his place?—A. No, sir.

Q. You don't know the nature of his place?—A. No; I am a very busy man.

Q. You don't visit those places, personally?—A. No, sir.

Q. All you know is that you would sell him goods, because in the period referred to he has always paid his bills?—A. Yes, promptly.

Q. As to whether he is a man who aside from his business relations with you is an honest man you don't know?—A. Well, yes; we have inquired of our customers; sent out the usual inquiries.

Q. That inquiry is to discover whether—A. That is part of our business—credit—whether a man is honest and has a good reputation.

Q. Whether he has a good reputation for paying his bills?—A. Yes, sir; and is an honorable man.

Q. An honorable man in his business dealings?—A. Yes, sir.

Q. A man who pays his debts?—A. Yes, sir.

Q. That is what you look to exclusively?—A. Yes, sir.

Q. A man might be the most notorious liar in the world, but if he pays you your bills, the bills he contracts with you, whatever lying he did aside from your business connection with him would not affect his credit with you, would it?—A. I think I would keep a line on that kind of a man if I knew it.

Q. Well—if you knew it?—A. I would be dead sure to.

Q. But your inquiries would be exclusively as to whether he pays his debts?—A. No, sir; on his reputation otherwise. I often trust a man if he has no money at all.

Q. Who furnishes you this information?—A. We send out men privately to find out, and also get it through agencies; any way that we can find out.

Q. Through Bradstreet's and Dun's?—A. Yes, sir.

Q. Barr & Widen, and various other agents?—A. Yes, sir. In this particular case our man visits him all the time; visits him continuously.

Q. Your man simply goes there and sells him goods?—A. Sometimes don't sell him; goes around there often.

Q. Visits him as a man with whom you are dealing?—A. A good many times through the year he visits him—yes, sir.

Q. Sells him goods?—A. I would know if there was anything wrong; I would know it before this.

Q. The mere fact is this, that you never have heard Cantoni's reputation for truth and veracity questioned?—A. Never, sir.

Q. You don't know anything about it?—A. No, sir.

Q. All you know is that he pays you for the goods he buys, and if he didn't pay you for the goods he bought you would immediately discontinue his credit?—A. If he had had that kind of a reputation I would have been on to him long ago. I catch on to a fellow of that kind before it runs twenty years, or five, either.

Q. Your experience is that in twenty years he has paid his debts contracted with you?—A. Yes, sir.

Q. He has been in the tailoring business?—A. Yes, sir.

Q. According to your understanding of it?—A. Yes, sir.

Q. And in that time he has bought from you cloth and material of that character?—A. Yes, sir.

Q. And has paid for it?—A. Yes, sir.

Q. And that is about the extent of your knowledge of Cantoni, isn't it?—A. Well, he comes in quite often; sometimes we have a talk; I have often talked with him on business, or of business; comes in often; he is in the same city here. He might come in to match a sample of something or to get something he was looking for that we may not have. I always have a talk with them—coming in.

Q. That is in a kind of personal, friendly way?—A. Yes, sir.

Q. You don't know anything other than you have learned in a business way of Mr. Cantoni?—A. Yes, sir.

Q. And you personally have never met him except in your store?—A. Yes; I meet him on the street.

Q. When did it first come to your knowledge that Cantoni's reputation had been questioned?—A. I think it is about a week ago, or something like that.

Q. Who spoke to you about it?—A. I think it was my man told me about it first.

Q. Did Cantoni speak to you about it?—A. Yes, he spoke to me then.

Q. What did he say?—A. He asked me—"You have known me a long time in the city?" I said, "Yes." I didn't know what he was getting at at the time particularly, and I said I had, and he said, "Did you ever know anything wrong about me?" I said, "No," and he spoke about this.

Q. Spoke of what?—A. Some policeman that had given evidence against him to the effect that he was running a crooked shop, or something to that effect.

Q. Do you know whether his place on the levee has ever been under police surveillance or not?—A. No, sir; I don't believe it has, from general knowledge I have of them there.

Q. And you don't know whether he has been charged with receiving stolen goods or not?—A. No, sir; if he was I wouldn't consider it without knowing that it was true. I don't think he would do anything of the kind.

Q. It is on the general proposition of his always having paid you whatever debts he contracted with you that you will state that he is a perfectly honest man?—A. I am perfectly satisfied that that is what he is.

Q. If he had been charged with acting as what is known as a "fence" you are not in a position to deny that, are you?—A. No, sir; I never heard of it.

Q. Don't know anything about that at all?—A. No, sir.

Q. Your relations with Cantoni have been just merely as the head of one of the largest woollen concerns in St. Louis and that of a customer of the house?—A. Yes, sir.

Q. Whatever business dealings you have had with him have been rather incidental, your clerks carrying all the business with him?—A. I trade there with them myself.

Q. But that is more in the way of being sociable and letting them understand that you are looking after their interests?—A. Yes, sir.

Q. And almost all the information that you have gotten has been from second, third, or possibly fourth hand? Some of it comes to you from one of your clerks; some comes to you from a member of a mercantile agency, but it invariably comes in other channels than from your own personal knowledge and your own personal information?—A. Well, I never considered it was an investigation because I always considered the man one of the cleanest-cut merchants we have.

Q. That is as far as your business is concerned; he always pays his bills?—A. Yes, sir.

Q. You give him unlimited credit as far as business is concerned?—A. Men of the kind you speak about would be generally making unfair claims, and things of that kind, if we were not strict with him. Often they get goods out and then they make claims which are very often unjust. I never remember having any from him.

Q. You make it your business to watch those things critically?—A. Yes, sir.

Q. And prevent, if possible, unjust claims?—A. Try to if we can, yes, sir.

Q. If Mr. Cantoni has been conducting a "fence," or has been receiving stolen property, that is something that has not come to your knowledge?—A. Never heard of it.

Q. You have made no effort to investigate along that line?—A. No, sir.

By Mr. HOLTCAMP:

Q. The credit that Mr. Cantoni and other customers receive is based only on a thorough investigation as to the man's general reputation?—A. It surely is with me. I am very exacting about that.

Q. Not only as to whether he pays your bills, but as to whether he has a good name in the neighborhood?—A. That is right, yes; that is one of the principal things that we build our business on—that I made up my judgment on.

By Mr. WALSH:

Q. Where is Cantoni's place of business located?—A. He has been on the levee for a number of years; I don't know the number exactly.

Q. Did your man or your representative, or whoever represented you, inquire through there, in the neighborhood of the levee, for the purpose of discovering his general reputation?—A. No, sir; I am sure they didn't.

Q. If they had, would you have accepted any report from his neighbors on the levee?—A. Oh, if I had gotten any report of that kind I would have investigated it.

Q. But that is not the kind of report you got, is it?—A. No, sir; never got a report of that kind.

Q. Do you know what his neighbors who live there say as to the kind of place he is running and what kind of a fellow he is?—A. No, sir.

Q. Your method of getting a report on him was to go and see whether he paid his bills and what his reputation was among the merchants?—A. If we got any reports from him it must have been a good many years ago, because I have known him so well that I didn't consider a report necessary; never could sell him enough.

Q. You have not investigated Cantoni's character and reputation in the last five or ten years?—A. No, sir.

Q. Haven't bothered about it?—A. Never questioned it.

Q. He has always paid his bills? If during the last five or ten years he has been engaged in the business of receiving stolen goods, you don't know it?—A. No, sir.

Q. Haven't had occasion to inquire?—A. No, sir.

Q. Have you ever inquired down there at the levee?—A. No, sir.

Q. Because why?—A. I had no occasion.

Q. No; as to his reputation for that?

Mr. HOLTCAMP. He said he had no occasion.

Mr. WALSH. I will accept the witness's answer; I decline to accept an answer from you at all. This interruption is for the purpose of stopping Mr. Cunningham from answering.

Mr. HOLTCAMP. No, sir; not a bit of it. In fact, he has already answered. But I have a right to enter an objection, as attorney.

Mr. WALSH. This is cross-examination of a witness that you have put on the stand; you want to remember that.

Q. In your effort to discover Mr. Cantoni's reputation—say you were starting out to-day to try to discover what you could about his reputation—would you go down on the levee and inquire among his neighbors as to his reputation?—A. If I was opening a new account with a man, I would put the matter off for several days until I had time to see somebody whom I thought knew him, or something of that kind.

Q. Would you go down to 400 North Levee and make inquiries down there about Cantoni of the people who knew him, in the same line of business, and find out?—A. I would be very likely to go to people that knew him in the same line of business and find out from those that I thought he would do his buying from, if I was going to make an inquiry. But I had no occasion to do that.

Q. As far as his location on the levee is concerned, would you go there to inquire about a man's business reputation, of his reputation for honesty and veracity?—A. I would not, unless I knew who was on the levee. If there was some other merchant there that I had been selling to for a long time, I would—suppose there was some new man came on the levee that came and bought a bill of goods, and I asked where he was, and he said he was four doors from Cantoni—I would probably go down to see him.

Q. Go and inquire about him?—A. Yes; or send some one.

Q. What reputation does the levee generally bear with reference to the residents and parties who conduct business down there?—A. The men we have sold there have always had a good reputation.

Q. That has been years ago?—A. I have been selling there for years; sold his successor before he came in.

Q. That is, his predecessor?—A. Yes, sir; sold them all there. There's a lot of them down there, and I never lost a dollar amongst them.

Q. That was in the old steamboating days?—A. They were honest; always paid.

Q. But the people who are now on the levee are mostly lodging-house keepers and men of that kind?—A. I don't know.

Q. Don't you know that the levee itself is considered practically the slums of St. Louis?—A. I don't know whether it is or not; there may be some parts, but I shouldn't think his part would be that way.

Q. Do you know whether it is or not?—A. No, sir; I don't know a thing about the levee.

Q. What is the general reputation of the district known as the levee in the city of St. Louis?—A. Well, I can't say anything about that. It may be good or not; I don't know.

Q. Is it a place that you would ordinarily go for the purpose of securing information as to a merchant's reputation?—A. Well, as I say, if I found a merchant there that I knew, I would go to see him; if I knew somebody there and it was a responsible concern, and they knew the customer I was going to sell, I am sure I would make inquiries, whether he was on the levee, or on a steamboat, or across the river.

Q. That would be as to an individual, or some single instance that you would single out?—A. Yes, sir.

Q. Now, what is the general reputation, from what you know and what you have read and heard, of the levee, the levee district?—A. I don't know anything about it at all. I very rarely go down there; pass the levee on the train going to Chicago, or something of that kind, but I don't know anything about its reputation.

Q. Never go there yourself?—A. No, sir.

Q. It is not a neighborhood that is noted for any social distinction of the residents there?—A. No, sir.

Q. Never heard of any receptions or anything of that kind there?—A. I haven't been there in years.

Q. Does it compare in any way favorably with the district in which you live?—A. West Pine? No; I shouldn't think so.

Q. Rather the contrary?—A. I think it is more of a business location than any other line.

Q. On the levee?—A. Yes, sir.

Q. And where your home is is an exclusively residence locality?—A. Yes, sir.

Q. You know very nearly all the people who are your neighbors and their character or supposed reputation, at least?—A. Yes, sir.

Q. Most of them?—A. Yes. Well, I'm not much interested in them; I know some of them, of course.

Q. In contrast with the reputation of the levee district, isn't the levee district just the reverse?—A. I shouldn't think it was a fine residence neighborhood.

Q. It is the contrary, isn't it?—A. I don't know; it is more of a business location. I understand it is all business there, chiefly steamboats landing and loading, starting, etc., small shops, and things of that kind.

Q. Small shops?—A. Yes, sir.

Q. Second-hand shops?—A. I don't know anything—

Q. Cheap restaurants and lodging houses; places where the riffraff of humanity congregate?—A. I am sorry that the levee is in that condition. I would hope it was better, for the landing of passengers and things like that. I didn't know it was as bad as that.

Mr. HOLT CAMP. Nobody else does, except the attorney for the contestee.

Q. Will you state that the levee is a residence locality?—A. No; but I will state that there are lots and lots of honest men in business on the levee, and always have been; there are some of the best in the city. I consider this very man in question as good a man as any in the city, for reputation.

Q. You don't know anything about his reputation. You have not inquired into it for ten years?—A. I am perfectly satisfied—

Q. You have not inquired in this particular locality?—A. No, sir.

Q. You have been selling him goods continuously for twenty years?—A. Yes, sir.

Q. You have a strong interest in coming here to testify in his interest?—A. No, sir; except that he is a customer, I have no interest at all. It is fair play, and I want to give fair play to anybody else, as well as to him.

Q. You don't know whether he is a man who speaks the truth in ordinary everyday affairs, and you don't know whether he is a man who is harboring some particular dislike, or is feeling resentful against the man, and is deliberately lying about him?—A. I will tell you what his reputation is. You go see those people, and you will be as satisfied as I am that he is a decent man.

Q. Do you know whether the police have been after him?—A. I don't know.

Q. If the police have been after him, will you say he is a decent fellow?—A. They might get after him for nothing—have nothing against him; you can't prevent them bringing charges against him; you can't say whether they will prove anything or not.

Q. That is admitted, and Cantoni can bring charges against others—charges against other individuals, as well as others against him?—A. Yes, sir.

Q. Do you know whether Cantoni has actually been the receiver of some 20 gold watches which were stolen?—A. Never heard of it.

Q. Do you know whether the police arrested him and tried to compel him to disgorge 20 gold watches?—A. No, sir.

Q. Do you know whether they tried to arrest him and compel him to give up any other stolen property?—A. Yes; I have heard of it.

JOSEPH A. STEIN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. State your name and residence.—A. Joseph A. Stein; No. 4421 West Belle place.

Q. What business are you in?—A. Wholesale dry goods.

Q. With what concern?—A. Rice-Stix Dry Goods Company.

Q. That is one of the largest houses in the city?—A. Yes, sir; I say it is the largest.

Q. Do you know Mr. Antonio Cantoni?—A. I do, sir.

Q. How long have you known him?—A. About twenty-four years.

Q. Do you know what his reputation is for truth and veracity and general character?—A. First-class.

Cross-examination by Mr. WALSH:

Q. What is your particular line of business?—A. Wholesale dry goods.

Q. How long have you been in business?—A. About thirty years.

Q. How old are you?—A. Forty-two.

Q. You have been in the business since you were 12 years old?—A. Between 12 and 13. I went to work for A. Frank & Sons in 1875. Figure it yourself.

- Q. You have been working in the city of St. Louis since 1875?—A. I have.
- Q. How long did you work for A. Frank & Sons?—A. Ten years, until 1885, when they went out of business.
- Q. What was your line of business?—A. I was in the stock.
- Q. As a stock keeper selling goods?—A. No, sir; keeping stock, not selling stock.
- Q. You were working for A. Frank & Son from 1875 to 1885?—A. Yes, sir.
- Q. Then where did you go to work?—A. With Samuel C. Davis & Co.
- Q. How long did you work there?—A. About twelve years.
- Q. And you left them in 1897?—A. About that time. I don't remember exactly.
- Q. Samuel C. Davis & Co. were in existence in 1897, were they?—A. I think they were. I left them September 1, 1897, I think.
- Q. There are some things that I can't figure out myself, and I will have to rely on your information.—A. All right, go ahead.
- Q. What were you doing for Samuel C. Davis & Co.?—A. City salesman.
- Q. How long were you city salesman?—A. Since the time I went with them.
- Q. Did you go with them in 1885 or 1886?—A. I don't remember exactly, but it was one of those years—1886, I think.
- Q. You were city salesman for them from 1886 until 1897?—A. About that; yes, sir.
- Q. And where did you go after 1897?—A. With Rice-Stix Company.
- Q. What position did you hold with them?—A. I was city salesman until a year ago.
- Q. You left them, then, in 1902?—A. I am still with them.
- Q. What is your business now?—A. Buyer of staple goods department.
- Q. What position did you hold until a year ago?—A. City salesman, same as with Samuel C. Davis & Co.
- Q. Where was your territory?—A. Anywhere in the city that I had a notion to go to; any part of the city.
- Q. When did you first become acquainted with Canteni?—A. I said about twenty years ago. It may have been a year more or less. I can't tell exactly.
- Q. I want you to fix it as near as you can.—A. About twenty years.
- Q. Did you know him in 1885? Did you get acquainted with him when you began working for A. Frank & Son?—A. No; I got acquainted with him when I first went to Samuel C. Davis & Co.; when I first got to selling goods.
- Q. So you are only four years short of the twenty years. It is sixteen years?—A. It may be.
- Q. I am doing this calculating myself at your suggestion.—A. You are a good one. Go ahead.
- Q. You have known him sixteen years, instead of twenty?—A. Yes, sir.
- Q. Will you scale that any?—A. I don't think I will.
- Q. Are you positive on that?—A. I have known him sixteen years; not over that.
- Q. What year did you first get acquainted with him?—A. I can't remember.
- Q. You stated very positively that it was twenty years.—A. I said about twenty.
- Q. You think you knew him sixteen years. You say you left Frank & Son in 1885?—A. Yes, sir.
- Q. That is about seventeen years ago. You went to work for Samuel C. Davis in 1886?—A. The first of the year, I think it was.
- Q. That would make it about seventeen years ago?—A. Yes, sir.
- Q. At the time that you first met Canteni where was he?—A. Down on the levee.
- Q. Whereabouts?—A. About 400 and something, the same stand that he has to-day; I think it is the same place.
- Q. What business was he engaged in?—A. Manufacturing overalls, pants, and sold notions and furnishing goods.
- Q. Buys them, too, doesn't he?—A. Yes.
- Q. He buys secondhand clothing?—A. Not that I know of.
- Q. Buys it and sells it, doesn't he?—A. Not that I know of.
- Q. Do you know whether he buys or sells any secondhand goods?—A. No, sir.
- Q. Did you make any effort to find out?—A. When I was selling him goods I went down there three or four times a year, and I never heard he was selling secondhand goods.
- Q. Do you know whether he buys secondhand goods of roustabouts?—A. I do not; no.
- Q. What trade does he cater to?—A. Steamboat people.
- Q. What do you mean by steamboat people?—A. People on the boat running up and down the river.
- Q. You mean the captain and mates and officers of boats?—A. I don't know.
- Q. Do you know whether he caters only to roustabouts on the levee?—A. No, sir.
- Q. What kind of goods did you sell him?—A. Furnishing goods, denims.
- Q. What kind of furnishing goods?—A. Undershirts, drawers, shirts, collars, neckties.

Q. Were they a high-grade article?—A. No; medium class.

Q. Denim is a kind of material used for being manufactured into overalls, isn't it?—A. Yes, sir.

Q. And that was about the character of the goods he handled?—A. I couldn't say; that is the kind of goods he bought from me.

Q. When did you hear the character of Canteni discussed?—A. About a week ago.

Q. Who brought it to your attention?—A. Canteni himself.

Q. He suggested that you come here and testify in defense of his character?—A. He didn't say that. He said that I would be subpoenaed as a witness for him.

Q. Is that all the conversation you had in connection with this matter?—A. He asked me if I would come and I told him I surely would.

Q. Do you know anything about Canteni other than your business connection with him?—A. No, sir.

Q. Do you know the character of the neighborhood in which he conducts his business?—A. Slightly.

Q. Well, what is it?—A. It is the business part of the town. There is a certain amount of business done down there.

Q. What character of business?—A. Well, all kinds of stores down there, and if I am not mistaken, there is a big establishment just north of the bridge; a big foundry or something up there, or a manufacturing establishment of some kind.

Q. Isn't it a wrecking concern?—A. I don't remember now.

Q. Do you refer to Manien's place?—A. I don't remember whose it is. It has been a couple of years since I have been down there.

Q. You have had no business with Canteni of any consequence for a couple of years?—A. I have had business with him every month, but he came to the store, and my business with him would be conducted at the store.

Q. Then your knowledge of Canteni is confined exclusively to business dealings with him?—A. Yes, sir.

Q. Do you know whether his reputation among the people with whom he associates, in the neighborhood of his residence, is good for veracity and truthfulness?—A. As far as I know, I don't think that Canteni lives down there or has lived there for some time, but I know his place of business is down there.

Q. You don't know whether among the people with whom he is immediately associated his reputation for truth and veracity is good or not?—A. When I first started to sell Canteni goods I investigated that, as I was to establish credit for him with Samuel C. Davis & Co., and so far as I could find out his character was all right.

Q. But do you know any persons that furnished you that information?—A. Merchants along the levee.

Q. Merchants engaged in business?—A. Yes, sir.

Q. You didn't go among his neighbors, with whom he was daily associated?—A. No, one wouldn't go outside of the business community to find out anything of that sort.

Q. The effort on your part was to discover whether or not Samuel C. Davis would be justified in selling him goods on credit?—A. Yes, sir.

Q. And that was all that you endeavored to find out?—A. Yes, sir.

Q. Since the time that you first investigated Canteni's reputation down there the neighborhood has changed, has it not?—A. I think it has.

Q. For the better or worse?—A. For the worse.

CHAS. W. THOMPSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence.—A. Chas. W. Thompson; No. 3020 Russell avenue.

Q. What business are you in?—A. Salesman for Ely Walker Dry Goods Company.

Q. That is a wholesale house here in the city?—A. Yes, sir.

Q. It is one of the largest wholesale dry-goods houses in the city?—A. Yes, sir.

Q. Do you know Mr. Antonio Canteni?—A. Yes, sir.

Q. How long have you known him?—A. I think about nineteen years.

Q. Do you know what his reputation is for truth and veracity and general character?—A. It is good. His character is perfect.

Cross-examination by Mr. WALSH:

Q. Where do you live?—A. No. 3020 Russell avenue.

Q. What connection do you have with the Ely Walker Dry Goods Company?—A. Salesman.

Q. Did I understand you to say that you were a director?—A. No, sir; I am a stockholder.

Q. Is your business confined exclusively to the city of St. Louis?—A. My personal business?

Q. The business for your firm.—A. Oh, no; no, sir.

Q. Do you go on the road?—A. To a certain extent. I have got a peculiar trade all over the country. I go on the road probably two weeks in the year. It is not confined to any part. I go to Oklahoma, Arkansas, and other parts.

Q. Your knowledge of Cantoni is obtained in a purely business way?—A. No, sir; it is not. I know quite a number of his associates—business associates.

Q. Who are they?—A. I know Mr. Monti.

Q. Well, where does he live?—A. He is on Franklin avenue, about 2200; I can't give you the number.

Q. Who else, Mr. Thompson?—A. Well, the rest of the people have probably left here. I knew Mr. Verango; he has left the city.

Q. Where did he conduct his business?—A. The same place before Cantoni got it, down on the levee.

Q. When you first became acquainted with Mr. Cantoni where was he located?—A. He was the same place that he is now. But he was working—I can't tell you whether he had an interest in the business or not, but he was working for Mr. Verango. The business was then bought by Mr. Monti, and Mr. Cantoni was a partner.

Q. And this Mr. Monti, of 2200 Franklin avenue, was there, and his business was conducted there?—A. Yes, sir; he is in the shoe business.

Q. And is Cantoni connected with that business?—A. No, sir.

Q. Mr. Monti is in the shoe business?—A. He is at present. Mr. Monti was originally the predecessor in the business on the levee.

Q. And the business at that time was exclusively the manufacturing of clothing and overalls?—A. Oh, no, sir; it is a general merchandise business. He sells underwear, overalls, jumpers, shirt collars, hosiery—that is, men's socks, and everything that way. I would call it more of a general business than anything else.

Q. He does not sell groceries or hardware, like a country store?—A. Oh, no.

Q. Did I understand you to say that Cantoni had moved away from there?—A. No, sir. His business is there, but he doesn't live there.

Q. The location is not such a place that Cantoni cares to keep his family there?—A. I should think not.

Q. It is not what you would call a good residence locality?—A. Oh, no.

Q. People who live down there are what are known as the lower class of people. I presume that would express it?—A. Yes; I don't know much about that part.

Q. Do you ever go down there yourself?—A. Oh, yes.

Q. In walking along the street down there you don't feel that same degree of safety that you do on Olive street about Broadway, do you?—A. Oh, I don't think I ever felt unsafe down there; it is not as pleasant a place to walk as Broadway.

Q. The class of people that you come in contact with down there are not the same class of people that you would meet in the business section of Olive street?—A. No; they are not.

Q. It is not the kind of a place that you would care to visit on a dark night?—A. No; it is not.

Q. It is what you would call a tough locality?—A. Well, I don't know about that. I know there are a good many business places down there, quite a number. I should think it is very good as a common business place.

Q. But it is not a place where you would care to conduct a business of your own?—A. No.

Q. And the locality is ordinarily what is designated as a portion of the St. Louis "slum?"—A. No; it should hardly be called a slum down there, because the most of the places are small business places—are not what you could call slums.

Q. Small business that caters to what class?—A. Common men.

Q. Rivermen, such as roustabouts, deck sweepers, and so on?—A. Not necessarily. Cantoni buys a medium class of goods, that he must sell to better men than roustabouts.

Q. When you say a good medium class of goods, that is putting it as strong as you can?—A. No; it is not. It is a better class than some would buy.

Q. A better class, for instance, than you sell on some portion of Morgan street?—A. A great deal better.

Q. Over in that neighborhood that is devoted strictly to the second class there, it is a little bit worse than this?—A. A great deal worse.

Q. Now, as far as your connection with Cantoni is concerned, it has come about in the way that you state, through acquaintance with him as a purchaser?—A. Yes, sir; I have known him about nineteen or twenty years. I have been at Ely-Walker's for twenty-four years.

Q. You are not the kind of gentleman who would be likely to question the reputation of a business man unless the matter was brought to your mind that he was actually dishonest in his business transactions, would you?—A. I think I would have known it in this case.

Q. But you are one of those gentlemen who prefer to accept people as you find them, if they treat you honestly; you accept them as being honest?—A. As a rule; yes, sir.

Q. You don't make it your business to go out of your way for the purpose of discovering if a man is dishonest if you find him always fair in his dealings with you?—A. Oh, no.

Q. As Cantoni has paid his accounts with your firm, and you have had comparatively little trouble with him, you are willing to believe, as far as you are concerned, that he is an honest man?—A. Well, I should say further than that. I think I have got enough knowledge of his business to say, as far as anything is concerned, that he is honest.

Q. But you have made no investigation, other than what your business required?—A. No, sir.

Q. You haven't gone among his associates on the levee?—A. As I said before, I knew, many years ago, a great many of his associates.

Q. Over ten years ago?—A. Well, as long as that. His reputation was very good then. We found out then.

Q. That is, that he paid his bills?—A. Well, good moral character as well. At that time he wasn't heavy financially, and we would like to know his general character as well. Of course, if a man is very well fixed we don't ask so many questions.

Q. As he advanced in financial strength your watchfulness as to his moral character has decreased in proportion?—A. That is very natural; yes, sir.

Q. So, if in the last five years he has developed a tendency to purchase stolen goods you wouldn't know it?—A. No, sir; I would never believe that.

By Mr. HOLT CAMP:

Q. Your knowledge and information of Cantoni during the past nineteen years is such that if a police officer should state that he had a bad reputation and would decline to give the name of a single person who had so stated, or if a negro saloon keeper down in the vicinity of the levee would say that he had a bad reputation, would it affect your opinion of Cantoni?—A. No, sir; I know him too well.

By Mr. WALSH:

Q. And that is more with reference to his business standing?—A. Well, I put that in before. I knew him quite well through his associates outside of business, and in that way I knew his character and credit was good—away above the average.

Q. Now, if a policeman—an officer—were to notify you that Mr. Cantoni was under police surveillance, that he was believed to be engaged in shady transactions, would you pay any attention to that?—A. No, sir.

Q. You wouldn't?—A. Not after twenty years' knowledge of you, knowing you to be perfect in all that time, I wouldn't take anybody's word for your failing, after twenty years.

Q. You would be perfectly willing to believe that a man who had walked in the straight and narrow path for fifteen years couldn't possibly in the last five years have acquired that rather uncertain walk that is believed to go in connection with the broad path of dalliance?—A. No, sir; not in connection with his case. He is in good financial shape and has no temptation of that kind.

Q. Now, that is the true reason for your confidence in Cantoni's integrity, because he is now in a much better financial condition than he was some nineteen or twenty years ago, when you first made his acquaintance?—A. That, with his general character.

Q. Nineteen or twenty years ago you carefully investigated it from a business standpoint, because you intended to sell him goods?—A. Yes, sir; that is right.

Q. Because you wanted to protect your firm and your own interest. Now, in the last five years you have no reason to inquire into that, because Cantoni has risen above the necessity of making any inquiry as to his financial standing?—A. That is right.

Q. So that if he has in the last five years been connected with any shady and crooked transactions, that wouldn't affect you in your business dealings with him because you feel satisfied that you could collect any bill that he owes you?—A. Well, I never heard of any shady transactions.

Q. Is he a visitor at your home?—A. No, sir.

Q. Are you a visitor at his home?—A. No, sir.

Q. You sustain no social relations with him of any description?—A. No; like a

great many other customers, we meet them in their place of business, but don't happen to meet them socially.

Q. Your social plane is different, as you know nothing of him except in a business way?—A. I don't know that our plane is any different.

Q. But you move in a different circle entirely, don't you?—A. No, sir.

By Mr. HOLTCAMP:

Q. Mr. Walsh doesn't visit you at your home?—A. No, sir.

Q. And you don't visit at his home?—A. I haven't the pleasure of knowing him.

By Mr. WALSH:

Q. Does Captain Holtcamp visit at your home?—A. No.

Q. Do you visit at his home?—A. No.

Q. You don't have the pleasure of knowing him?—A. I do not; no, sir.

C. B. ULMAN, of lawful age, being produced, sworn, and examined, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 3931 Castleman avenue.

Q. What is your business?—A. Wholesale woolens.

Q. Are you engaged in business for yourself?—A. I am with the Ulman-McGill & Jordan Woolen Company. I am vice-president of it.

Q. Do you know Antonio Cantoni?—A. I do.

Q. How long have you known him?—A. Seven or eight years.

Q. Do you know his reputation for truth and veracity and general character?—A. Yes, sir; it is first class.

Cross-examination by Mr. WALSH:

Q. Where did you say you lived?—A. 3931 Castleman avenue.

Q. How long have you known Mr. Cantoni?—A. Seven or eight years.

Q. What is the nature of your acquaintance with him?—A. I have sold him goods and met him around socially.

Q. Where have you met him socially?—A. Different places.

Q. Where?—A. I can't specify any one just now.

Q. You mean that you have met him at the residence of persons that you know?—A. No, sir; I have met him around different places.

Q. Stores?—A. Stores; yes.

Q. Saloons?—A. Yes, sir.

Q. That is what you refer to by social acquaintance?—A. Yes, sir.

Q. But your acquaintance with him is mostly in connection with the sale of goods?—A. I won't say mostly. It is connected with him in that way.

Q. The social meetings have usually been in connection with the sale of goods, haven't they?—A. No, sir.

Q. Well, laying the foundation for future sales?—A. No, sir.

Q. The statement that you have made that you know Cantoni's reputation for truth and veracity, what is that founded on?—A. On personal contact with the gentleman.

Q. Did you ever hear his reputation for truth and veracity discussed?—A. No, sir.

Q. Then you don't know what his reputation for truth and veracity is?—A. Only from coming in contact with him.

Q. That was in connection with the sale of goods?—A. No, sir.

Q. What was it?—A. Socially and in connection with the sale of goods.

Q. You mean that you personally have never known him to tell you anything that you believed or found to be untrue?—A. By coming in contact with him, I have never known him to tell me anything that was not true.

Q. And that is the extent of your knowledge of him?—A. Yes, sir.

AUGUST MATTFELDT, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeth and saith:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 406 South Second.

Q. Did you live there on the 4th of last November, 1902?—A. I did.

Q. Did you vote at the election held on that day?—A. I did; yes, sir.

Q. What precinct and ward?—A. Second precinct of the Fifth Ward.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district for the short term?—A. I voted for Wagoner.

Q. If your ballot in the poll book would record you as having voted for James J. Butler, what would you state?—A. I would say that my ballot had been tampered with.

Cross-examination by Mr. WALSH:

Q. What precinct and ward did you vote in?—A. Second precinct, Fifth Ward.

Q. Did you hold any official position?—A. Judge.

Q. For what party?—A. Republican.

Q. Did you place your ballot in the box yourself?—A. I did not.

Q. Who did?—A. Mr. Weathersworth.

Q. Did you see the ballot placed in the box?—A. I did.

Q. Did you see your ballot numbered?—A. Well, I done the numbering myself. Me and Weathersworth numbered the ballot.

Q. You numbered your own ballot?—A. Well, we numbered a lot of them and laid them alongside of the ballot box, and when I got ready to vote I picked up a ballot.

Q. And then the ballot which you took you gave to Weathersford after you had taken out the Republican ticket?—A. Yes, sir.

Q. And then what did Weatherford do with it?—A. Put it in the box.

Q. Did you see him put it in the box?—A. I did.

Q. Did you remain there all day?—A. I did.

Q. Did you open the box at night?—A. No; Weatherford opened it.

Q. Were you there when the box was opened?—A. I was.

Q. What was done with the box when it was opened?—A. It was set to the side, and the ballots counted.

Q. What was the action? When the box was unlocked, what occurred?—A. Then the ballots were dumped out of the box on the table.

Q. What happened then?—A. We went to work, and all of us took hold of them and straightened them out and laid all the Democratic tickets in one pile and all the Republican tickets in another, and the scratched ballots in another.

Q. Then what happened?—A. After that was all done we started to count.

Q. During that time you were there from the time the box was opened?—A. I was.

Q. You saw the box opened, turned over, and the ballots dumped onto the table?—A. Yes, sir.

Q. You assisted in the straightening out of the ballots?—A. I did.

Q. During that time, did anyone in there interfere with the ballots?—A. None but the judges and clerks.

Q. All handled the ballots together?—A. Yes, sir.

Q. You were one of the judges?—A. I was.

Q. Was it a table something similar to this?—A. Well, larger than this.

Q. A little bit larger than this, but the general style of this table?—A. Yes, sir.

Q. Were those ballots in plain view?—A. Yes, sir.

Q. You were there?—A. I was there.

Q. Did you see anyone in any way tamper with any of those ballots?—A. Well, if you come down to that, now, there was a man named Peter Gill, and there was two rejected ballots; one was a Democratic ticket and the other, I don't know whether it was a Social Labor or some other ticket, and Peter Gill tore them up. He says, "We will have no rejected ballots." He was an outsider. He was in there.

Q. Was he a watcher or challenger?—A. He was nothing. He was precinct committeeman, second precinct, for the Democratic party.

Q. But aside from that, everything was conducted just as correctly as could be?—A. Well, it appeared so to me.

Q. No one touched your ballot so far as you could see?—A. Well, no one could tell where my ballot was after it was taken out.

Q. It was among the ballots?—A. It was in among the bunch.

Q. Nobody touched your ballots but the judges and clerks?—A. No.

Q. You helped straighten them out and sort them?—A. Yes.

Q. So that if your ballot was not cast for Wagoner you could have seen if anyone tampered with it there, couldn't you?—A. Well, I could not tell that, as I did not know it was my ballot; there was six of us there handling them, and I couldn't pay attention to all of them, and while I counted some of the ballots the others counted some, and anybody could have scratched it and me not know it.

Q. Was there anyone there to do any scratching with a pencil or a pen?—A. I didn't see anybody.

Q. You were there all the time?—A. I was in the room, but I wasn't watching to see whether they would do that, or if it was done.

Q. What ballot did you vote?—A. I don't remember the number.

Q. Was it a Republican ballot?—A. Yes, sir.

Q. Was it a straight Republican ballot?—A. It was straight, except that I scratched the constable.

Q. Did you scratch the amendments?—A. I did.

Q. Do you know whether or not in scratching the amendments you scratched anything else, other than the constable?—A. That is all; some of the amendments I scratched and some I let stand.

Q. What method did you use in scratching the amendments?—A. By seeing the ticket and looking at it.

Q. What method did you use; did you make a cross over it?—A. No; I struck them out in this way [indicating].

Q. Do you know what place on the ballot the Congressional candidates occupied?—A. They were down on the bottom—no, hold on, the constable was down at the bottom; well, I can't tell the location, but I knew where they were all right, and, anyway, I scratched where I wanted to.

Q. And you say you were in the polling place all the time, and you had an opportunity to see—A. Now, I don't want to say all the time. I was saying when the box was opened.

Q. You saw your ballot placed in the box?—A. I did.

Q. You know it was your ballot?—A. Certainly I do.

Q. If anyone states to you that your ballot has in any way been tampered with, don't you think that the statement of that person is more likely to be wrong than that your ballot was tampered with?—A. Well, I want to see the ballot, because I know I voted for Wagoner, and I have been informed that my ballot shows that I voted for Butler.

Q. Who informed you of that?—A. There was a man on Second street told me I voted for Butler, and I told him I did not.

Q. What is his name?—A. Henry Mundt, No. 415 South Second.

Q. Is he a brother of the Republican clerk?—A. He is his father; the father of the Republican clerk.

Q. And he was the one who charged you with having voted for Butler?—A. He didn't charge me, he just come over and said, "I hear you voted for Butler." Now, I will tell you where he got that, if you want to know.

Q. Yes.—A. He got that from this man Emil Remler.

Q. He is at 600 and something South Second street—613?—A. That is the number.

Q. And Remler had the list of the various parties whose vote was supposed to have been taken at the city hall in connection with this contest?—A. Now, I don't know whether Remler had a list or where he got it from. I don't know how he got it.

Q. Do you know whether there has been any other method for getting this information than was apparent from inspection of the books and boxes at the city hall?—A. I don't know how he got it.

Q. You know you looked at the ballots that night?—A. Yes, sir.

Q. Did anyone then take off the name and number of the ballot, and so on?—A. No.

Q. Have you been an election official before?—A. Yes, sir.

Q. Was this election conducted in any way differently from any other?—A. Yes; it was more quiet than it has ever been before, and less wrangling.

Q. And, as far as you could see, there was no disorder?—A. Well, I know there was no disorder at our polls that day.

Q. And there was nothing irregular?—A. Well, there was something irregular that I objected to.

Q. That you have referred to here?—A. No; not yet.

Q. Well, what was it?—A. Citizen papers.

Q. Whose?—A. Well, there was 6 Syrians there had citizen papers dated—

Mr. JOHN R. BUTLER. Shawalker?

The WITNESS. No; not Shawalker, at all.

Mr. BUTLER. I am not talking to you.

The WITNESS. Well, you butted in there, and I thought I would answer. There were 6 Syrians whose papers were dated the 6th, 8th, and 14th, and didn't bear the stamp of the court of appeals, and I objected and said they were not legal, as they didn't have any seal on.

Q. Did you let them vote?—A. The Democrats held the original book and they says, "Well, we will make them qualified voters." I objected to it.

Q. Did you sign the returns afterwards?—A. I did.

Q. And accepted the returns as correct?—A. I did.

Q. Made no protest?—A. No; I objected to it right there, but they put them down anyhow.

Q. And you subsequently accepted the returns as correct?—A. In the evening; yes, sir.

Q. Isn't it the fact that the last one of those Syrians was the one where it was noted that the seal was missing, and that Mr. Heinz was the one who noticed that, and then it occurred to you that it was probable that the other five were in the same condition?—A. Mr. Heinz, as I recollect, was the first one that I showed it to.

Q. You showed it to Heinz and showed it to the Democratic judges?—A. Yes, sir; and we got hold of a paper like this and you could feel it, and by holding it up you could see if there was a light impression of a seal, and the seal wasn't on there. I says, "This paper is no good, it's phony. The seal of the court isn't on there." Now there may have been more before we ever discovered it.

Q. Was there any more than those six that you speak of?—A. That is all that we noticed.

Q. Isn't it a fact that Heinz was the first one to notice it and that he said then there was no use making any kick about it because this fellow was the last one, and you merely supposed the other five was the same way?—A. I forced him to put it to a vote, and Mr. Heinz voted with the Democrats, and I says, "Well, that settles it, if he votes for it. I am only one and there is three against me, and the majority rules."

Q. Heinz was a Republican?—A. He was a Republican, and he voted with the Democrats. I voted the other way.

Q. So if Mr. Heinz now says that the only one that was noticed was this last one, and that then you referred to the probability of there being 5 others of the same character, you say he is wrong?—A. I do.

Q. Were you called to testify in this case before?—A. I was.

Q. Did you appear?—A. I did not.

Q. Why?—A. Because I was busy.

Q. Didn't pay any attention to the subpoena?—A. I paid enough attention to it, but I didn't have the time or I would have come.

Q. You were not busy this time and so you came?—A. I am not busy just now.

Q. What is your business?—A. I am in the stove, paint, and hardware business.

Q. Whereabouts?—A. No. 406 South Second.

Q. Which side were you subpoenaed by?—A. I was subpoenaed by both sides.

Q. You were subpoenaed by the contestee, weren't you, to appear at the Temple Building?—A. I was.

Q. And you were too busy to go down there?—A. I was busy that day.

Q. So you concluded you would let it go until you got good and ready to come on the contestant subpoena?—A. No; I didn't think of that at all. I let it go till I got ready. I happened to come here to-day because I wasn't busy, and I heard it was rumored that I had voted for Butler and I wanted an opportunity to come and deny that.

Q. And Remler told you of that rumor?—A. No, sir; I told you that Mr. Mundt informed me of it, and he told me that Remler had told him.

Q. How long have you been in business down there?—A. Since I have been in business myself, which has been since 1890.

Q. Are you a manufacturer of stoves?—A. No, sir.

Q. What do you do?—A. Well, I sell stoves and sell hardware and do repair work.

Q. What kind of stoves?—A. Any kind of stoves.

Q. Second hand or new?—A. No, sir; new goods.

Q. Altogether new goods?—A. Altogether new goods.

Q. You know that from the time you voted or placed your ballot in the box until the time that the ballot was counted there had been no one to tamper with your ballot, don't you?—A. I think so. In fact, I will say that I know so. When it went into the box certainly nobody could tamper with it then, unless it was done after the ballots were dumped out and straightened out on the table.

Q. And you were there during the time the ballots were on the table?—A. I was.

Q. And you are satisfied that no one had an opportunity to tamper with the ballots then?—A. I won't say that no one had a chance to tamper with them. As I say, I was sitting at the table, this end. Now, the table was fully longer than these two, say as long as these two tables, and we were all sitting around and the ballots were all over the table, and I suppose it was a very easy matter if any man wanted to do it; he could make a pencil mark through anything he wanted to.

Q. Do you think that a man could make a pencil mark through anything he wanted to and then write another name without your seeing it or some others seeing it?—A. That could have been done while I was counting the ballots.

Q. How were you placed as to your position?—A. I was sitting on this end of the table and they were sitting on the other side of the table.

Q. There was another Republican judge there?—A. There was.

Q. And another Republican clerk?—A. There was.

Q. Do you think that either of those people would have tampered with your ballot?—A. I do not.

Q. Do you think either of the Democratic judges or clerks would do it?—A. I won't say they did.

Q. Do you think they did?—A. Well, I don't know. I didn't think anything at all about it.

Q. Do you think Chas. D. Lyons tampered with your ballot?—A. I can't say he did.

Q. Will you say that he did not?—A. I will say I don't know.

Q. Do you think that Earnest Wetherford tampered with your ballot?—A. I don't know whether he did or not.

Q. Do you think that Thomas E. Garvey tampered with your ballot?—A. I don't know.

Q. Do you think that Frank Heinz tampered with your ballot?—A. No, sir.

Q. You are satisfied that he did not?—A. I feel satisfied that he did not. He is too honest.

Q. And Phil. Mundt?—A. No.

Q. You are positive that neither of the Republicans did it?—A. I am.

Q. You are satisfied that they are too honest to do such a thing?—A. I am.

Q. Don't you think that they are too honest to permit such a thing to be done in their presence?—A. I think if they had seen anything of that kind they would have drawn my attention to it.

Q. Were the ballots taken from the table at all?—A. They were not at that time; but after they were counted and they were satisfied that it was all right, they were strung up.

Q. Up to that time they remained on the table and were not taken away from the table?—A. No, sir.

Q. And you three Republicans were grouped around the table?—A. Yes, sir.

Q. Now, don't you think the mistake is more likely to have been a clerical mistake of the party who has tried to get a copy of the votes as cast?—A. No; I don't think that at all, because at the other election, when Horton and Butler ran, my ticket was changed the same identical way. I voted for Horton and my ticket showed me voting for Butler.

Q. How do you know that?—A. Because I was a witness in the contest, and at that time I saw the list where I was put down as voting for Butler.

Q. You haven't seen the list this time?—A. No; I have not.

Q. Are the same judges and clerks there now as they were at that time?—A. No; Phil. Mundt; this is the first time he was clerk and I don't remember who was the judge with me in the Horton election, but I believe it was Johnnie Bedly, who was the judge with me at the other election.

Q. You know that he was a fighting Republican, wasn't he?—A. No; he was no fighting Republican.

Q. He was a very noisy one.—A. No; he was not. He was a very quiet one that election day, in 1900.

Q. You say he was not noisy?—A. I didn't see where his noise came in. I know he was the challenger that day, because in the evening he left it to me. He says, "Now, it is rumored that Maroney is going to run in all the repeaters he can get;" and he says, "What will we do?" "Well, just the moment they come in," says I, "I will object to every one, and you stand here and we will wrangle and stop the vote."

Q. You put up a job at that time with the challenger, did you?—A. Well, I wouldn't call it a job, but if you want to call it a job you can put it that way.

Q. That is what you did in 1900. You arranged a scheme with the challenger to stop the vote.—A. If the repeaters came in, to stop the vote.

Q. At that time you had two officers there, two policemen, to arrest any repeaters, didn't you?—A. I don't remember whether we did in that election.

Q. You remember this little conversation with Bedly?—A. I do.

Q. And you remember that you and Bedly conspired together or agreed to conspire together for the purpose of stopping the vote?—A. Not stopping the vote, but wrangling, and referring every time to the poll book to see if it was right or not, and if it was wrong to stop it.

Q. What do you call right?—A. If he could answer all those names, or sign a paper that would show that he was entitled to vote, we would take it for granted that he was the right man.

Q. Don't you think that he would have been all right if he had passed John A. Bedly's inspection?—A. No; I was the judge and he was the challenger.

Q. You were the one who instigated the wrangles?—A. I did, to stop the vote.

Q. If they came in you were to do that, and you were the one who originated the idea that you would act together and wrangle and stop the vote?—A. You say I was the one that originated it. He came to me and says: "Maroney, as I understand it, is going to run in repeaters, and what are we going to do?" And I says: "If they come in here we will question them and refer them to the book and wrangle, if it is necessary to stop the vote."

Q. You have modified your statement a little bit since you first made it, haven't you?—A. Well, it is about the same. I could tell it over again.

Q. That occurred in 1900?—A. That was in 1900, in the Horton-Butler election.

Q. And the result of that election made you feel a little bit sore?—A. Not at all.

Q. Didn't you say that is why you came up here?—A. There ain't any election that can make me sore. I don't care whether they win or not. I have no interest in it, so I can't get sore about the election.

Q. You were interested enough to come up here after being told that your ballot wasn't cast for Wagoner?—A. That is what I am here for.

Q. But you couldn't come on the other subpoena?—A. If I wasn't busy I would have been there just as I am here.

Q. You place your business above that of the United States Congress, do you?—A. No; I tell you if I had the time I would have been here.

Q. You place your stove business above the interests of the United States Congress, and the only reason that you came here was that you wanted to show somebody that you had voted for Wagoner?—A. No, I don't want to show nobody, but I want to deny that I did vote for Butler. I don't want to say it to nobody.

Q. Did anybody tell you that you didn't need to come to the Temple Building?—A. No.

Q. Did anybody persuade you to stay away?—A. No.

Q. Did you see Remler in that connection?—A. No.

Q. Or Mundt?—A. No.

Not being able to complete the taking of said depositions this day, by reason of the absence of witnesses, I hereby adjourn the further taking of same until to-morrow, January 29, then to be continued at the same place and between the same hours mentioned in the caption.

ST. LOUIS, MO., *January 29, 1903.*

Pursuant to adjournment, as above stated, on this 29th day of January, A. D. 1903, at 10 o'clock in the forenoon of that day I continued the taking of said depositions, as follows:

Counsel for contestant produces and files notice for the taking of depositions to-day, with list of witnesses, which is marked "Exhibit —."

MR. WALSH. We desire to enter our objection and protest to the introduction of any evidence in this contested election in the Twelfth Congressional district, wherein Mr. Wagoner is contestant and James J. Butler contestee, for the reason that the time specified in the resolution for the taking of direct evidence has expired and we have had no notice of the taking of evidence in rebuttal, as required under revised section 109 of the United States statute set out on page 78 of the rules of the Committee on Elections No. 2, more particularly this clause: "Testimony in rebuttal may be taken on five days' notice." I will state that neither contestee nor his attorneys have received any such notice at any time.

RUDOLPH CASPER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 1911 Olive street.

Q. Did you live there on the 4th of November last?—A. Yes, sir.

Q. Where did you vote? Do you remember the ward and precinct?—A. No; I don't remember that.

Q. Do you remember where your voting place is?—A. Oh, yes; 1917 or 1917½ Olive; one or the other.

Q. In the eleventh precinct of the Fifteenth Ward?—A. Yes, sir.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted for the Republican man; Republican ticket.

Q. Did you vote the Republican ticket?—A. No, sir; I voted the allied ticket.

Q. You voted the allied ticket, but you voted for Mr. —

MR. WALSH. I will object and protest against the introduction of any name, or any prompting and coaching on the part of the attorney for the contestant. This witness is certainly able to state who he voted for.

Q. You say you voted for the Republican candidate?—A. Yes, sir.

Q. Mr. Wagoner?—A. Mr. Wagoner, on the Republican ticket.

Q. For the short term?—A. The short term.

Q. If your ballot should show that you had not voted for him, or had voted for anyone else, what would you say?—A. Well, it wasn't turned in right.

Cross-examination by Mr. WALSH:

Q. You say you voted for the other candidate?—A. For Congress.

Q. Did you say that you voted for Mr. Reynolds for the short term and Wagoner for the long term?—A. No, sir; I voted the straight allied ticket, except for the short term for Congress.

Q. Who was the candidate for the long term on the allied ticket?—A. I forget now; them names don't come to me.

Q. Don't remember the names?—A. No; I do not.

Q. So when Mr. Holtcamp told you that you voted for a certain party, you simply assented to his statement?—A. Well, I know I voted for the Republican man what had the short term for Congress. I know that.

Q. What did you do in connection with voting his name?—A. Just rubbed the name out that was there and put his name there.

Q. What name was there that you rubbed out?—A. I couldn't remember that name.

Q. You don't know what name you rubbed out and don't know what name you put in?

Mr. HOLTCAMP. He stated what name he put in.

Q. Where do you say you live?—A. No. 1911 Olive.

Q. Do you know that you are registered from there?—A. Yes, sir.

Q. You know you voted from there?—A. Yes, sir.

Q. Do you know whether or not your name is on the list of registered voters that is printed? [List handed to witness for examination.]—A. There it is.

Q. When you voted, how did you cast your ballot?—A. Well, I took my ballot and fixed it just the way I wanted, and turned it in, that is all.

Q. Did you see it deposited in the box?—A. Yes; I was particular about that.

Q. You were particular to see that it was deposited in the box?—A. Yes, sir.

Q. Do you know whether your ballot was tampered with from the time you prepared it until it was placed in the box?—A. I watched the ticket till I saw it put in the box. I know my ballot went into the box.

C. E. HAZARD, being duly sworn on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and place of residence.—A. My name is C. E. Hazard. My residence is 5060 Ridge avenue.

Q. Where are you employed?—A. No. 521 Spruce street—St. Louis Physicians' Supply Company.

Q. What kind of a building is that?—A. One story and basement building.

Q. Do you know whether anybody is living there?—A. Nobody lives there.

Q. If, according to the registration list, Albert Wilson, J. S. Neretti, L. W. Walsh, William Gaskin, and William H. Green are all registered from 521 Spruce street, is that a correct registration?—A. They don't live there now.

Q. Did they live there last November?—A. I couldn't say.

Q. Was there anyone living there then?—A. I don't know. We didn't occupy the building then.

Q. How long has the building been built?—A. I couldn't state positively; several months. We simply had it since the 1st of January.

Q. Is it a new building?—A. A new building.

Q. You don't know when its construction was started?—A. Why, yes; it was some time last fall. I couldn't state positively.

Q. Had it ever been occupied up to the time you took it?—A. No.

Q. You moved into the building when it was completed?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. You don't know whether there were any persons living there up to the time you went in there?—A. Yes, sir.

Q. Who were the watchmen, and so on, that took care of that building?—A. There was no watchman. I had the keys, though, since about—I can't state positively the date, but it was along in the month of November.

Q. You got them some time after the 4th of November?—A. I couldn't state positively.

Q. Do you know that it was along about the 15th of November?—A. I wouldn't say positively. They were working there at the time.

Q. You don't know whether or not anyone was registered from that building or not, do you?—A. No; I don't know that.

Q. And you don't know whether there were any persons living there?—A. I do, positively.

Q. You know it. How?—A. Simply because I was in and out of that building every day, except Sundays, along in the early fall till the building was completed. The walls was up and the roof on about the middle of October.

Q. Now, Mr. Holtcamp has given you from a printed list the names that were called off to you. What do you know of that printed list?—A. I don't know anything about the names.

Q. I will ask you to look at what he was questioning you from. Isn't it a printed list?—A. I saw a printed list; yes, sir.

Q. Wasn't that what he was interrogating you from?—A. I judge so.

Q. Do you know the names that he asked you just then?—A. I don't think all of them. I think I could give some.

Q. Wilson, Norette, Walsh, Gaskin, and Green?—A. Yes, sir.

Q. Do you know whether they are registered from 521 or not?—A. I do not.

Q. The only information that you get is from Mr. Holtcamp asking you with reference to the printed list, such as I am interrogating you about?—A. Yes, sir.

By Mr. HOLT CAMP:

Q. I called these names from the printed list of registered voters and asked you whether or not, to your knowledge, these parties were living in that building on the 4th of November last.—A. I can state positively that nobody lived in that building on the 4th of November last.

By Mr. WALSH:

Q. How much of that building do you occupy?—A. Occupy all of it.

Q. What are the dimensions of that building?—A. Thirty-two by 104 feet.

Q. Which is the front depth, the front measurement?—A. Thirty-two feet.

Q. And the 104 feet, where does it extend to?—A. To the alley.

Q. Occupying the entire block?—A. Yes, sir; from Spruce street to the alley.

Q. Now, will you swear positively or will you state positively that any of these parties did not live there on the 14th of October, 1902?—A. Yes, sir.

Q. You know that?—A. Yes, sir.

Q. How do you know it?—A. Simply because the building was in course of construction at that time. I remember positively on the Thursday of the fair, which I know was along in the early part of October before the 14th, that I saw workmen working on that building; and the owner of that building approached us that day to lease the building.

Q. Do you know the names of the workmen that were working on the building?—A. I do not; they were bricklayers and carpenters.

Q. When I tell you that Mr. George C. R. Wagoner, the present contestee in this case, has registered and voted from the place of business where he works, do you know whether or not any of those workmen who were working there on that building had an equal right to register and vote from the place where they were?—A. They were not living there, and the building was not in any shape to be occupied at that time. I can solemnly swear that those men were working on the building on that day.

Q. What day?—A. The day of the St. Louis fair. That was in the middle of October.

Q. Will you equally swear that they were not there on the 14th of October?—A. No, I will not.

Q. Which was the second Tuesday of October?—A. I don't know that. I couldn't say positively whether they were there or not on any certain day unless it was brought to my mind positively like that Thursday of the fair.

Q. The only day that you can say positively that these men were not there was on the Thursday of the fair. Do you know Albert Wilson?—A. No.

Q. Do you know George S. Norette?—A. No.

Q. Do you know Wheeler?—A. No, sir.

Q. Do you know Gaskin?—A. No, sir.

Q. Do you know Green?—A. No, sir.

Q. So you don't know whether they lived there on the 14th of October or not?—A. I know they did not live there.

Q. How do you know it?—A. Because the building was not so that it could be occupied on that day.

Q. Do you know whether they were employed there?—A. They may have been employed there.

Q. Do you know whether or not these men voted from there or not?—A. I do not. Don't know the men.

ROBERT J. LYNCH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 1325 Aubert.

Q. What is your occupation?—A. Superintendent for the transit company.

Q. I will ask you to state whether you have any acquaintance with the building 3311 Locust street?—A. Yes, sir; I am located there.

Q. Is that your headquarters?—A. Yes, sir.

Mr. WALSH. Do you live at 2816 South Jefferson avenue?

A. No, sir; I haven't lived there since the 1st of March.

Mr. WALSH. We object to the introduction of this witness, for the reason that the only notice that we have of the appearance of any Robert J. Lynch is the address at 2816 South Jefferson avenue.

The WITNESS. That is the way the subpoena has it.

Q. That is where you used to reside?—A. Yes, sir; last March.

Q. You now live on Aubert avenue?—A. Yes, sir; 1325 Aubert avenue. You will find me at 3311 Locust.

Q. Were you acquainted with the building and the uses to which it was put on the 14th day of last October and also on the 4th day of November?—A. I was acquainted with the horses that was in there; that was all.

Q. Now, I will ask you to state, Mr. Lynch, whether or not anybody was living in that building; and if so, who?—A. We hadn't any living rooms there. There was a man slept there about nine months.

Q. In what capacity did you have him there, watchman?—A. No, sir; he was a stable man. He slept there at night, and we had a watchman there besides.

Q. And those were the only two persons who slept or lived at 3311 Locust street last October?—A. I couldn't swear that men slept there in October because I am not down at night.

Q. These are the only two that you know had any right to sleep there or live there?—A. These are the only two, to my knowledge. The night watchman some time last month had a crowd of loafers around there and I told him to keep them away, and he let them rob him, so I let him go with them. He kept them around there till they stole his clothes.

Q. What was his name?—A. John Gray.

Q. Did he live there?—A. No; he was night watchman.

Q. What was that building used for?—A. Used for a stable, and a shed for wagons, and had the tools there.

Q. How many stories?—A. The east building was one story and the west building a story and hay loft.

Q. There was no sleeping rooms or rooms occupied by anyone there at that time?—A. Only one room in the building.

Q. If the registration lists of this city would show that there were thirty-three men registered there as living there would that be true?—A. Not to my knowledge, it was not.

Q. You were there every day?—A. Yes, sir; until 6 o'clock in the evening.

Q. And you were around the building all the time?—A. Yes, sir.

Q. Had practical charge of it?—A. Yes, sir; all except the tool house.

Cross examination by Mr. WALSH:

Q. Do I understand you to say that you fired the watchman for having a lot of bums around there?—A. Yes, sir; I was told that he had a lot around there, and I went in there about 7 o'clock, as I had forgotten something and had to go back and get it, and I saw the office about half full, I guess, possibly five or six in there, and I told him I wanted the men kept out of there, and I didn't hear any more until I came down one morning about half past 6, and he didn't have any clothes—said somebody had stolen his clothes out of the harness room—and I said, "If you can't watch your clothes you are a poor man to watch horses," and I let him go.

Q. Do you know whether or not any of these 33 men that Captain Holtcamp has been inquiring about were actual roomers and lodgers with that watchman, Gray?—A. I don't know.

Q. There is a loft there, and there is lots of hay and material of that kind that is commonly used for bedding by gentlemen of nomadic habits?—A. Yes; I know. I caught one of his friends rolling a bale of hay out of there one day.

Q. There may have been quite a number of men then living and staying around there?—A. That is the only time I saw them, and then I knew they were there, because they stole his clothes, and I knew somebody had been there.

Q. So there may have been a great many men there that you haven't seen who were living with your watchman, Gray?—A. Yes. In the summer months I am down there about two or three times a week, but in the winter I put in about twelve hours a day there, and I don't feel much like coming back at night.

Q. You don't know, then, whether Gray had 33 or 50 men, do you?—A. No, sir. I only seen 5 or 6.

Q. And you don't know whether or not these 33 men were actually rooming there or not?—A. Well, they were not, to my knowledge; I don't know. They could have slept there and me not know it, only from hearsay.

Q. You don't know whether any of these men voted from there?—A. No, sir; I don't know that.

Q. You don't know whether any men registered from there or not?—A. No; only I know that man McGee was registered from there; he said he was.

Mr. HOLTCAMP. J. McGee?—A. Yes, sir.

Q. Who was he?—A. He was the stable foreman there.

By Mr. HOLTCAMP:

Q. Were there any arrangements in the building for cooking meals for a lot of men, such as stoves, or anything else?—A. No, sir; nothing of that kind. I believe there was one cot in the building.

Q. One cot in the entire building?—A. That is all I know. There might have been one in the tool house. That is all that I had charge of.

ALEXANDER RUNNELS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 402 South Fifteenth street.

Q. What do you do?—A. I run a coal shed on South Fifteenth street.

Q. You are a colored man?—A. Yes, sir.

Q. Where do you live?—A. I live at 402 South Fifteenth.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote from that place?—A. Yes, sir.

Q. Where did you vote?—A. I voted betwixt Fourteenth and Fifteenth, on Clark avenue.

Q. Do you know the ward and precinct?—A. Fifth, I believe.

Q. Fifth Ward, 1404 Clark avenue?—A. Yes, sir.

Q. You voted at this place on the 4th day of November last at the election held there?—A. Yes, sir.

Q. Who did you vote for for Congress for the short term?—A. I didn't vote no separate; I voted the straight ticket.

Q. What ticket did you vote straight?—A. The Republican ticket.

Cross-examination by Mr. WALSH:

Q. Did you get a subpoena to come over to the Temple Building on Tuesday of this week to appear there?—A. Yes, sir.

Q. You did?—A. Was yesterday Tuesday?

Q. Day before yesterday?—A. Monday?

Q. No, Tuesday; did you have a subpoena to go to the Temple Building, on Broadway and Walnut?—A. No, sir; I got one yesterday.

Q. Is this the one you came here on?—A. Yes, sir.

Q. That is the only one you received?—A. That is all.

Q. You got no other notice?—A. No, sir.

Q. You say that you voted a Republican ticket straight?—A. Yes, sir.

Q. When you took your ticket, what did you do with it?—A. I wadded it up and handed to the judge, or somebody, and he stuck it down in the box.

Q. You are sure he put it in the box?—A. It went through; it went into the box.

Q. You are positive of that?—A. Yes, sir.

Q. Do you read?—A. No, sir; I can't read and write good.

Q. Can't read very well?—A. No, sir.

Q. Did you get anybody to tear off your ballot for you?—A. No, sir.

Q. You tore it off yourself?—A. No, sir.

Q. You can't read nor write?—A. A little bit; not enough to do no good.

Q. How did you know which ticket you were voting?—A. I told the judge to give me a straight Republican ticket, and he handed it to me.

Q. Did you ask him for a straight Republican ticket?—A. Yes.

Q. Did you notice it when he pulled it out?—A. Yes. There was two or three more gentlemen standing there.

Q. Did you notice which ticket he pulled out of the package of tickets?—A. Yes, sir.

Q. Which one was it; the first one, or second, or third one, or the fourth one? (Objected to as leading.)

A. Pulled out the first one first, and got that tangled up; and I gave that back to him because I had it handed to him unfolded, and I suppose I had to fold it up, and he gave me another one.

Q. And that was the one you voted?—A. Yes, sir.

ROBERT LEVITCH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1325 Morgan.

Q. Did you live there on the 4th of last November?—A. Yes.

Q. Did you vote from there?—A. Yes, sir.

Q. Do you know what ward and precinct you voted in?—A. I don't know.

Q. Where did you vote; do you remember?—A. I voted on Morgan street, between Fourteenth and Fifteenth.

Q. Do you remember what side of the street it was?—A. Well, it was on the left-hand side going west.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district, short term?—A. I don't understand what you ask me. You ask me if I will state?

Q. Yes, sir.—A. Have I the privilege not to state?

Q. Yes, sir.—A. I wouldn't state.
inside of 100 feet of the polling place.

Q. Was anyone else standing around there?—A. No, sir.

Q. This crowd that came out of Cronin's saloon, where did they go?—A. They went into the polling place.

Q. All of them?—A. Yes, sir.

Q. Did any of them remain on the outside and around there?—A. No, sir.

Q. They all went in?—A. All went in.

Q. How long did they remain in there?—A. Well, I expect they remained in there about five minutes. I made a sneak, because I knew just exactly how it would be if I didn't.

Cross-examination by Mr. WALSH:

Q. Were you a challenger or a watcher appointed there?—A. I was challenger; yes.

Q. Did you have credentials?—A. Yes, sir.

Q. Whom did you show them to?—A. I didn't show them to anybody.

Q. So no one knew that you were a challenger?—A. It wouldn't make any difference.

Q. Answer the question—no one knew that you were a challenger?—A. No.

Q. You didn't show your credentials to anybody?—A. No, sir.

Q. Were you the possessor of one of those blue buttons ornamented with the letter H?—A. No, sir.

GEORGE RUDGE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and residence?—A. My name is George Rudge.

Q. You reside in what ward and precinct?—A. I couldn't say.

Q. Where did you vote?—A. Twenty-first and Wash.

Q. No. 922 North Twenty-first?—A. Yes, sir.

Q. That is the ninth precinct of the Fifteenth Ward. Did you see your ballot deposited right away?—A. Yes, sir.

Q. Will you state whom you voted for for Congress in the Twelfth Congressional district for the short term?—A. I voted the straight Republican ticket.

Q. That included the Congressional vote, too?—A. Yes, sir.

Q. If your ballot and poll books would show you reported as having voted for nobody, what would you say?—A. I would say there was a gang of thieves in the polls; that is all I could say.

Cross-examination by Mr. WALSH:

Q. Do you know Cy Rudge?—A. I do.

Q. What relation, if any, does he bear to you?—A. Brother.

Q. Wasn't he judge or clerk at this place?—A. No, sir; he was not.

Q. Where was he located?—A. Nineteenth and Warren.

Q. Who were the judges and clerks in the precinct where you voted?—A. I don't know. To tell you the truth, I don't believe there was two judges and two clerks in the polls when I voted.

Q. How many were there in there?—A. There was only one, another voter besides me, and two men; that is all I seen in the polls.

Q. How long have you lived there at 2018½ Carr?—A. I couldn't say just exactly how long; I guess about a year.

Q. Are you the same Rudge who was arrested for kicking a woman and beating her up here on Olive street?—A. No, sir.

Q. What Rudge was that?—A. I don't know.

Q. You are not the same one that used to terrorize the citizens with a gun up in that neighborhood?—A. Don't carry a gun.

Q. You don't carry one now?—A. No, sir.

Q. Then will you answer my question?—A. What is the question?

(Last question read to witness.)

The WITNESS. What do you mean by terrorizing them?

Q. Patting them on the back and affectionately hugging them and showing that you are very fond of them, and introducing a gun as a mark of it.—A. I don't generally pat one on the back.

Q. What do you think I meant by terrorizing?—A. Well, I don't know what you thought.

Q. I ask you what you think. I don't imagine that you are a mind reader, but I ask you what you think I meant by terrorizing?—A. Why, kicking up a row, or something of that kind.

Q. Well, are you that Rudge?—A. No, sir.

Q. Does that Rudge live in the immediate locality that you do, or is there another Rudge living there?—A. I don't know. There are a couple of Rudges living in that house.

Q. What are their names?—A. George Rudge and my wife.

Q. Is this other George Rudge you?—A. No, sir.

Q. Who is George Rudge?—A. A son of mine.

Q. He occasionally kicks up a row, does he?—A. Not quite old enough yet.

Q. Then those are the only Rudges that live in that house, George and your wife. Now, when you secured your ballot what was done with it?—A. Well, I took the bunch of them, tore out the Republican ballot, and wrapped it up and handed it to a fellow who put it in the box.

Q. He put it in the box?—A. He did.

Q. You saw it go into the box?—A. I did.

Q. And whatever candidate's name was on the box you voted for?—A. I did.

Q. You made no scratches of any description?—A. No, sir.

Q. Did you make any correction or alteration with reference to the charter amendment?—A. No, sir.

Q. Didn't touch the ballot with a pencil at all?—A. I did not. It was pretty dark in there, too. There was nothing but a dim little light in there and you could hardly see the names on the ballot. You had to go on the outside of the booth to see.

Q. You have stated that it was reported—

Mr. HOLT CAMP: Recorded, I said.

Q. If the transcript shows that your ballot was cast for any other person than the Republican candidate you say there must have been a lot of thieves in there?—A. Well, there must have been some thieving done or the ballot wouldn't show it was cast for anything else but the Republican candidate.

Q. Aren't you just as willing to believe that the transcript is mistaken and that there has been some clerical error in copying?—A. I think if the men knew their business there would have been no error in the copying.

Q. I am referring to the transcript that is being quoted from by the attorneys from the other side. If I told you that in recording or endeavoring to secure a record of the poll books there were three single individuals endeavoring to compare six separate books at one and the same time and that the ballots were being hurriedly examined and being hurriedly read off to a typewriter who was recording the result on their investigations on a machine which no one could see as to the matter being

written, wouldn't you be just as willing to believe that there had been some clerical errors in the matter?—A. I couldn't very well answer that question.

Q. No; you would prefer to say that there was a gang of thieves, wouldn't you? Would you kindly answer that? Don't be so coy. Would you mind answering me?—A. No, sir.

Q. I will ask you to answer it. You have stated in answer to a question by Captain Holtcamp that if your ballot is recorded as being cast for someone else than Wagener that you believe there is a set of thieves in the polling place. Now, I want to ask you whether you are just as willing to believe that there was a clerical error?—A. If this transcript that you are alluding to put up the same as the last election was put up, it may be.

Q. I understand from your testimony that you voted for Geo. C. R. Wagener, and that if you are recorded as voting for someone else, you think there must have been a gang of thieves at the polls. Now, the question as to whether you voted for Geo. C. R. Wagener or someone else is based on the fact that the contestant has opened the ballot boxes, has examined the ballots, and has examined the poll books, and that each pair of poll books has been compared; that in some instances a pair of poll books has been compared by one person; that the number of the ballot, the person voted for, and the initials of the judges were called off by two clerks to a typewriter, who was writing on a typewriting machine; that the names were taken from the poll books and called off to another typewriter; that at the time the poll books were being examined one clerk was endeavoring to compare two books, and when the ballots were being examined this one typewriter wrote down on the machine as rapidly as he or she could the results of that call. Now, I ask you, that being the case, if it was not more likely, that instead of being a lot of thieves in the polling place, that there was a clerical error in taking off the transcript or in copying off the number of the voter?—A. Well, I say there was a gang around the polling place, but I didn't see what was going on around inside of your office where they were taking this transcript.

Q. You did see that there was a gang around the polling place?—A. I did.

Q. Now, as to the matter that I have asked you, will you answer me whether or not you are as willing to concede that there could be a clerical error in the matter of your ballot?—A. No, I am not.

Q. That is owing to your partisan feeling as a Republican?—A. No, it ain't.

Q. The point is, that you will not concede anything?—A. I ain't prejudiced against either of them. I don't know either of them.

Q. What is your business, Mr. Rudge?—A. I am a can maker.

Q. Do you think it is possible for persons hurrying rapidly to make an error?—A. Yes, sir; errors can be made.

Q. You find that occasionally you make a mistake in making a can, don't you?—A. Sometimes.

Q. If the solder is not put on correctly, or the tin is not cut right or is not bent right, or something?—A. Yes, sir.

Q. Don't you think it is just as likely for a person calling off to a typewriter to make a mistake in the number?—A. I don't think the persons ought to allow them to make mistakes. I couldn't tell if they didn't make a mistake.

Q. Isn't it true that in making cans you make mistakes? You are a can maker?—A. I am.

Q. And a skillful can maker makes no mistakes?—A. I don't know. I am not a skillful can maker.

By Mr. HOLTCAMP:

Q. There has been no facts shown you by attorney for contestee which would cause you for one moment to believe that any mistake had been made in copying the numbers and initials on the ballots and also the names and numbers on the poll books, has there?—A. No, sir.

GEO. W. HENDRICKS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your residence?—A. No. 2024 Carr street.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote from that place?—A. I did.

Q. Where did you vote?—A. Ninth precinct, Fifteenth Ward.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted for Wagener.

Q. If your ballot should show that vote having been recorded for anyone else but Wagener, what would you say?—A. Well, I would say that it was incorrect.

Cross-examination by Mr. WALSH:

Q. You are a colored man?—A. Yes, sir.

Q. And you live just a couple of doors from Mr. Geo. Rudge, who was just on the stand?—A. Yes, sir.

Q. How long have you lived there?—A. I think it was in August when I moved; I moved there in August.

Q. Had you ever seen this Geo. Rudge there?—A. Well, I am not around there frequently and I could not say.

Q. Are there many colored people that live around there?—A. No, sir; not so many. There was a few in those houses where we lived; they are mostly white people there.

Q. When you went in there to get your ballot what did you do?—A. They asked me my name, and I told them my name and where I lived, and then they handed me the bunch and I took it, and I went into the polling place to vote.

Q. You saw it placed in the box?—A. Yes, sir.

Q. You know that the ballot was placed in the box just exactly as you voted it?—A. Yes, sir.

Q. Did you make any changes or alterations in that ballot?—A. I did.

Q. Did you strike out any portion of the constitutional amendments?—A. I did.

Q. Do you know whether you made any alteration as to the vote for Congressman?—A. No, sir; I know I did not. I didn't scratch any of the names of the Congressmen.

Q. You feel positive that you put your ballot in the box and saw it put in the box?—A. Yes, sir; I saw it.

Q. And from the time that you voted that ballot it was not handled nor touched in any way by any person until you gave it to the judge who put it into the box?—A. Yes, sir.

Q. And you saw it go into the box? You know it went into the box?—A. Yes, sir; I handed it to him, and I was standing right at the corner where the box was and handed it to the man standing there, and he took it from my hand and put it in the box.

Q. You saw it go in, and you know that it went in?—A. Yes, sir; I stood there till it went in.

Q. How many judges and clerks were there?—A. I couldn't say how many. I never paid any attention.

Q. There seemed to be at least six persons in there, were there not?—A. Oh, yes; police officers.

Q. You were not intimidated or threatened?—A. No, sir.

Q. Nobody interfered with you in any way?—A. No, sir.

Q. Did you see any disturbance there of any character?—A. No, sir; not at that time.

Q. Did you at any time?—A. No, sir.

JAMES H. BECTON, of lawful age, being produced, sworn, and examined on behalf of contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and place of residence?—A. James H. Becton, No. 417 South Levee.

Q. You are a colored man?—A. Yes, sir.

Q. Did you live there on the 4th day of last November?—A. Yes, sir.

Q. Did you vote from there?—A. Yes, sir.

Q. Where did you vote, do you remember?—A. I voted in the second precinct of the Fifth Ward.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district for the short term?—A. I disremember the name, but I voted the Republican ticket.

Q. Did you scratch any of the names?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Do you read or write?—A. Yes, sir.

Q. Did you make any alterations or erasures on your ticket; any changes?—A. No, sir; I voted neither for the amendments nor against them.

Q. Do you know how you happened to be called here?—A. No, sir.

Q. Did anyone see you in this connection before you came here to-day?—A. No, sir; I just came in answer to this subpoena which I received this morning.

Q. At the time that you cast your ballot how did you proceed?—A. I walked into the polling place and the judge asked me my name, and I gave him my name and address, and he found my name on the book and then he passed me the ballot.

Q. Then what did you do?—A. Well, I voted.

Q. Would you mind telling me the method that you used after you got your ballot?—A. Well, I just said to the Republican judge that I wanted to vote the Republican ticket.

Q. You told him you wanted to vote the straight Republican ticket?—A. Yes, sir.

Q. You can read, can't you?—A. I can.

Q. What did he do when you asked him that?—A. Well, he put it in the box.

Q. Had you already torn off your ballot?—A. He tore it off.

Q. The Republican judge tore off the ballot and put it in the box?—A. Yes, sir; I saw it put in the box.

Q. You know it went in?—A. I am satisfied it went in.

Q. And from the time the ballot was torn off by the Republican judge until it was dropped into the box as your ballot you know it was not touched nor tampered with in any way?—A. It was not.

At this point I adjourn the further taking of said depositions until the afternoon of this day at 2 o'clock.

St. Louis, *January 30, 1903.*

Pursuant to adjournment as above stated, on this 30th day of January, A. D. 1903, at the hour of 10 o'clock a. m., I continued the taking of said depositions as follows:

Counsel for contestant introduced in evidence notice for the taking of depositions at this session, with a list of witnesses, which is marked "Exhibit —."

JOHN H. ROLLKER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your name and place of residence.—A. John H. Rollker; 1421 St. Ange avenue.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Yes, sir.

Q. Please state it.—A. Seventh Ward, twelfth precinct.

Q. Will you state for whom you voted for Congress from the Twelfth Congressional district for the short term?—A. I voted the straight Republican ticket, with the exception of the amendments.

Q. And you voted for George C. R. Wagoner for the short term?—A. Yes, sir.

Cross-examination by Mr. ROGERS:

(Counsel for contestee desires to enter the same objection this morning to the taking of the testimony of this witness as was offered yesterday, on the ground that under the resolution of the House the time from January 28 up to and including February 1 was given to the contestant to take evidence in rebuttal only; that the testimony of this witness is evidence in chief and not rebuttal.)

Counsel for contestee objects to the taking of this testimony for the reason aforesaid and for the further reason that the law of the United States regulating the conduct of contested-election cases, the manner, time, and method of taking the same, has not been complied with, as contestee was not served with a notice that testimony in rebuttal would be taken according to the law five days before the date set for the taking of such evidence.)

Q. You say you voted in the last election?—A. Yes, sir.

Q. What precinct and ward?—A. Seventh Ward, twelfth precinct.

Q. Did you see your ballot deposited in the box?—A. Yes, sir.

Q. Who deposited that ballot in the box?—A. I put it into the hands of one of the judges.

Q. And it was deposited by the judge in the ballot box?—A. Yes, sir.

Q. It was not tampered with?—A. No, sir.

Q. And, so far as your own personal knowledge is concerned, the ballot was put into the box in the same condition as it was when you handed it to the judge?—A. Yes, sir.

Q. Do you know any of the judges and clerks in that precinct?—A. Well, I did know one or two; yes, sir.

Q. You have no reason to believe that they are not honest men?—A. No reason whatever.

Q. So far as you personally saw, the conduct of the election in the limited time that you were in the polling place, it was conducted fairly and squarely?—A. Yes, sir.

Q. You don't say that your ballot has been changed?—A. I do not.

Q. Or that any ballot has been substituted for the one you cast?—A. I couldn't say that.

Mr. HOLTCAMP. The ballot that you cast was voted for George C. R. Wagoner for the short term?—A. Yes, sir.

Q. The straight ticket?—A. Yes, sir.

Mr. ROGERS. You have not seen your ballot since it was placed in the box?—A. No, sir.

A. J. PAREIRA, of lawful age, being produced, sworn, and examined on behalf of the contestee, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

(This testimony is objected to for the reason that the last notice is incomplete, and it is not an exact copy of the original which will be filed in Congress, not being signed by the contestant or any of contestant's counsel, but unsigned.)

Q. State your name and place of residence.—A. A. J. Pareira, 3315 Lawton avenue.

Q. What is your business?—A. Deputy inspector United States internal revenue.

Q. Did you vote in this city at the election held on the 4th day of last November?—A. I did, sir.

Q. Will you state whom you voted for for Congress for the short term?—A. For the straight Republican ticket, and for George C. R. Wagoner for the short term.

Cross-examination by Mr. WALSH:

Q. What ward and precinct did you vote in?—A. The Twenty-second Ward, eleventh precinct.

Q. Were you subpoenaed to the Temple Building by the contestee?—A. I was not, sir.

Q. Your name is what?—A. A. J. Pareira.

Q. It is not Pareien?—A. I don't spell it that way.

Q. It is not Bararie?—A. No, sir.

Mr. WALSH. We submit that on page 82 of the record which was taken by the contestants in the direct examination, being an examination of the poll books on the eleventh precinct of the Twenty-second Ward, ballot No. 95 is marked A. J. Pareine; in the other book, Bararie. I desire to call attention to the spelling as a specimen of the method in which the record has been made.

Cross-examination:

Q. How did you secure your ballot?—A. By giving my name to the judges and clerks there, and their comparing it with the records, and me receiving the ballot and going to the booth and voting.

Q. Did you secure a ballot?—A. I did.

Q. What was the modus operandi? What did you do?—A. I simply voted the straight Republican ticket.

Q. How did you do that?—A. Took it out of the bundle that was there of a number of ballots, and the others I scratched out entirely.

Q. You tore it out of the bunch?—A. Yes, sir.

Q. And you scratched all of the remaining bunch?—A. Yes.

Q. Do you read and write?—A. I do, sir.

Q. And you voted the straight Republican ticket?—A. Yes.

Q. After you had arranged your ballot what did you do?—A. I handed it to the judge in charge of the ballot box, or the clerk; in fact, I did not know the gentleman; didn't know anybody in the polling place; lived around there four years, but didn't know a soul in the polling place.

Q. In the eleventh precinct, Twenty-second Ward, how long have you lived there?—A. I have lived there off and on for seven years.

Q. How long "on"?—A. About three years.

Q. Do you know precinct 11 of the Second Ward?—A. Yes, sir.

Q. You are not acquainted with Jesse A. Murphy, the son of a former street commissioner?—A. No, sir.

Q. Are you able to say that Jesse A. Murphy is not a bona fide resident of that locality?—A. I don't make that assertion; I say I am not acquainted with him.

Q. You are trying to convey the impression that these men are not residents of that precinct?—A. No, sir; I said I don't know the gentlemen.

Q. The fact that you don't know Jesse A. Murphy, who has lived in that block about twenty years, argues that you are not acquainted?—A. Slightly; I am not acquainted.

Q. Do you know Olte Olmstead?—A. No, sir.

Q. What was done with the ballot when you gave it to the judge?—A. One was put in the ballot box and the remaining was put in the bag or sack.

Q. You saw it put into the ballot box and know it was put into the ballot box?—A. Yes, sir; I saw it put into the ballot box.

Q. Is there any other Pareira or any other similar name living at 3315 Lawton avenue?—A. I am the only one living at 3315 Lawton avenue.

Q. Has it been stated to you that you voted for Butler just now or anything said to you that you cast your vote for Butler?—A. No, sir.

Q. You saw your ballot placed in the box and you know it was placed in the box?—A. From my observation and from my sight I saw it placed in the box.

Q. And you know from the time you voted it or from the time you arranged your ballot until it was placed in the box no one had an opportunity to tamper with it or handle it in any way?—A. I handled the ballot from the time I left the booth until I handed it to the gentleman at the table.

Q. Who dropped it into the box?—A. Dropped it into the box; yes, sir.

JOSEPH EIF, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposed and saith as follows:

Direct examination by Mr. HOLCAMP:

Q. State your name and place of residence.—A. My name is Joseph Eif. I live at 1319 Chouteau avenue.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. Who did you vote for for Congress for the short term?—A. I voted the regular Republican ticket.

Q. Did you scratch any names on that ticket?—A. Nothing.

Q. Voted it straight?—A. Straight; yes, sir.

Q. Where did you vote? Do you know the ward and precinct?—A. In the precinct on Fourteenth and Chouteau avenue—on Fourteenth street.

Q. That is in the Sixth Ward, eighth precinct?—A. Sixth Ward, eighth precinct.

Cross-examination by Mr. WALSH:

Q. What ward and precinct did you vote in? Don't look over there; just answer me. I don't want them to prompt you.—A. I voted in the Sixth Ward, in the precinct down on Fourteenth street.

Q. If some one else had not told you a few months ago, you wouldn't have any idea, would you? You didn't know what ward it was until they told you? (No answer.)

Q. Where do you live?—A. I live at 1319 Chouteau avenue.

Q. How long have you lived there?—A. Seven years.

Q. How long have you lived in the city?—A. I have been here thirty-three years.

Q. When did you take out your papers?—A. On the 15th of September, 1898.

Q. Where?—A. Here in the criminal correction.

Q. In the court of criminal correction?—A. Yes, sir.

Q. How many were present when you took out your papers?—A. A lawyer named—I can't remember the name. I haven't got a head like a horse.

Q. When was it you went to the court of criminal correction?—A. It was the 15th day of September, 1891. It was eleven years ago.

Q. When you said 1898 you didn't mean that?—A. I tell you my head isn't made so I can remember, but the paper I got will tell you the truth. I haven't the paper here.

Q. Who was present at the time you took out the papers?—A. There was a lawyer there; I can't remember his name.

Q. Was there anybody else there besides the lawyer?—A. Well, there was Wm. Dutze.

Q. Were you and William Dutze and the lawyer the only persons there?—A. Yes, sir.

Q. Did you testify before the judge as to your intentions?—A. The first papers was Wm. Dutze and the second papers was the lawyer at the court of criminal correction.

Q. And did you have an interpreter there when the questions were asked you about becoming a citizen?—A. What's that?

Q. An interpreter.—A. Well, there was Wm. Dutze, who was interpreter.

Mr. HOLCAMP. You spell and understand English very poorly, don't you?—A. I read so much I can.

Q. Do you read English?—A. I read so few as I can.

Q. Do you read much English?—A. No.

Q. The day that you went to vote on election day at the polls, did you get a package of ballots from the judge in the polling place?—A. Mr. Brown gave me the ticket.

Q. Did you tear off the ticket yourself?—A. I tore off the ticket itself; yes.

Q. You knew which ticket you were tearing off?—A. Yes; I voted the Republican ticket.

Q. Well, what did you do with it?—A. I took it over and gave it to Mr. Brown.

Q. Did you make any marks on the ticket yourself?—A. No, sir.

Q. Just handed it to Mr. Brown?—A. Yes, sir.

Q. Was he the Republican judge?—A. That I don't know. I don't know whether a Republican or Democrat. Mr. Brown took the ticket and put it in the box.

Q. You saw him put it in the box?—A. Yes, sir.

Q. Nobody touched the ticket after you handed it to Brown?—A. That I couldn't tell, whether nobody touched it or not.

Q. After you tore off the ticket you handed it to Mr. Brown. Did anybody else have it besides you and Brown?—A. I can't say any more. Mr. Brown took the ticket and put it in the box.

Q. Did you give it to anybody else besides Brown?—A. No, I gave it to Brown. I voted the regular Republican ticket.

Q. I will ask you to pick out your name that is in that column. This is your name?—A. Yes, sir.

Q. What is the caption? What does this say up here?—A. That is "registration of Sixth Ward, 8th September."

Q. Eighth of September?—A. No, it is the eighth precinct.

Q. Now what else does it say on there?—A. Oh, well—

Q. Can't you read it?—A. Oh, I can read the whole thing. "October, 1902."

FREDERICK W. WEAVER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 3028 Laclede avenue.

Q. Did you vote in this city on the 4th day of last September?—A. Yes, sir.

Q. Where did you vote? Do you know the ward and precinct?—A. Yes, sir; fourth precinct of the Twenty-third Ward.

Q. Will you state who you voted for Congress for the Twelfth district, short term?—A. I voted for Mr. Wagoner.

Q. While you were at the polls did you notice any irregularity there?

(Counsel for contestant objects to the introduction of any evidence at this time of this character, on the grounds that it is not in rebuttal, but is evidence in chief.)

Q. Now, during the time that you were at the polls there did you notice any action on the part of the police that was out of the usual order?—A. No, sir.

Q. Were you allowed to remain around the polls?—A. Only long enough to fix up my ticket.

Q. What instructions did you receive from police officers, if any?—A. None at all.

Q. Did you notice anyone in front of the polling place and in the immediate vicinity wearing Jefferson Club buttons?—A. There was a couple of Jefferson Club men there.

Q. What insignia did they have on?—A. A large button; that is the reason that I could tell.

Q. What kind of a button?—A. Jefferson Club button. One of those large buttons.

Q. And they were allowed to remain in the immediate vicinity of the polls?—A. Yes, sir.

Q. Were you asked to move away?—A. Not there.

Q. Were you at any other place?—A. Yes; that happened along at Jefferson and Olive. I met a friend of mine and was talking to him there, and the police told us to move on.

Q. How far were you from the polling place?—A. Probably 15 feet.

Q. Did you observe anyone there in the immediate vicinity of the polling place with Jefferson Club buttons?—A. At that place there was none; but at Twenty-eighth and Olive there was Jefferson Club men. When I went home I passed there.

Q. Were they in the immediate vicinity of the polls?—A. Yes, sir; right in front.

Cross-examination by Mr. WALSH:

Q. How many men wearing these Jefferson Club buttons did you see?—A. Two.

Q. At each place?—A. Yes, sir.

Q. Did you know whether or not they were challengers, or watchers, or precinct men, or men holding any position?—A. That I couldn't say.

Q. What experience did you have at Twenty-eighth and Olive?—A. None at all; simply going by there I saw the Jefferson Club men standing there with their buttons on.

Q. Any other men standing there?—A. There was one or two others standing there with them.

Q. So the two that you saw wearing Jefferson Club buttons you believed to be Democrats. As to the other two that you saw, do you know whether or not they were Republican challengers or watchers?—A. I couldn't say.

Q. In every instance where you saw one Jefferson Club button you saw at least two men without them?—A. That one place I did not, at Twenty-eighth and Olive.

Q. What was it that you saw there?—A. There was a couple of men there that did not have Jefferson Club buttons.

Q. And at Jefferson avenue and Olive?—A. I didn't see any Jefferson Club buttons there at all.

Q. And you did not live in that precinct?—A. No, sir; I was simply going out on Olive street.

Q. You had no business around the polls?—A. Except I met a friend and was talking to him.

Q. You know the general rule has been ever since the introduction of the 100-foot law that everyone shall remain outside of that distance unless he is voting in the precinct or the regular party accredited to be at the polls?—A. I understand that to be the law; yes.

Q. And the law was only enforced to that extent?—A. Yes, sir.

Q. There was no brutality or violence?—A. No, sir.

Q. The officer simply said to move along, that it was inside the 100-foot law?—A. Yes, sir.

Q. He acted gentlemanly about it?—A. He didn't say it in a very nice way; rather gruff.

Q. He said it in a way which officers are in the habit of ordering persons. He didn't call around to you in a dress suit and say, "Be kind enough to move," or ask you for your card, but simply told you to move. In other words, he commanded you?—A. Yes, sir.

Q. And in saying that command the tone was the feature that was objectionable to you, and not the language?—A. The way he said it didn't sound very nice.

Q. You didn't think it sounded nice owing to your feeling as an American citizen, believing that you had a right to go anywhere?—A. Yes, sir.

Q. What precinct and ward did you vote in?—A. Fourth precinct, Twenty-third Ward.

Q. What was the method that you used in voting?—A. Went to the polling place and asked for a ballot, and they looked me up and handed me one.

Q. Handed you a ballot?—A. Well, a bunch of ballots; one of each party.

Q. In answer to Captain Holtcamp's question as to whom you voted for for Congress I don't recall what answer you made.—A. I said I voted for Mr. Wagoner.

Q. Which ballot was he on?—A. On the Republican ticket.

Q. And you knew that you voted for Mr. Wagoner?—A. Yes, sir.

Q. Do you know that Mr. Wagoner's name was on the ballot when you got it?—A. Yes, sir.

Q. There was no change in the ballot at any time with reference to Congressman made by you?—A. No, sir.

Q. You are Fred W. Weaver, living at 3028 Laclede avenue?—A. Yes, sir.

Q. About what time of the day did you vote?—A. I think it was about 1 o'clock; somewhere about that.

Q. Do you remember the number of your ballot?—A. I think it was 66.

Q. When did you have that impressed on your memory?—A. Well, I took a note of it.

Q. At the time?—A. At the time. I put it down somewhere, but I disremember where.

Q. Did somebody ask you or speak to you about that since?—A. No, sir.

Q. Have you been shown any number purporting to be the number of your ballot since?—A. No, sir.

Q. Have you had any conversation with anyone with reference to your ballot?—A. No, sir.

Q. You never had any conversation with anybody about that at all?—A. No, sir.

Q. You don't know anyone who has in any way brought any information to you with reference to this ballot?—A. No, sir.

Q. When you secured your ballot what did you do?—A. I went to one of those booths and prepared my ticket, tore out the Republican ticket out of the batch.

Q. Then what did you do?—A. I folded it up and handed it to the judge.

Q. And then what?—A. He put a number on it and placed it in the box.

Q. Who placed it in the box?—A. The judge did.

Q. You saw him?—A. Yes, sir.

Q. You know that it went into the ballot box?—A. Yes, sir.

Q. You are positive of that?—A. Yes, sir.

Q. And from the time you voted it until it was placed in the ballot box you know that it was not tampered with or interfered with in any way?—A. No, sir; it was not tampered with to my knowledge.

Q. You watched it?—A. I saw it; yes; it was all right.

Q. You saw it go into the box and you know that it went into the box?—A. Yes, sir.

Q. So that your ballot was deposited in the box just exactly as you had prepared it?—A. Yes, sir.

Q. Did you know the judges and clerks?—A. Did not know any of them.

Q. What is your business?—A. I am a railroad clerk.

Q. How long have you been a railroad clerk?—A. Ten years.

Q. Who are you with?—A. Missouri Pacific Railway, auditor's office.

Q. Are you familiar with clerical work in general?—A. Yes, sir.

Q. Do you know whether or not it is a common thing for clerical errors to arise in copying?—A. Well, they arise sometimes.

Q. They do arise at times?—A. They are bound to.

Q. So that from your knowledge as a clerk and copyist you are in a position to state whether or not in the hurried copying of a number of numbers or figures that it is possible for a typewriter not having the numbers right before their eyes to make an error in copying?—A. Yes, sir; that can be done.

Q. And don't you think it is a very easy thing to be done under these circumstances, where the numbers are being called off by one person and copied by another, where the numbers all range from 1 to 400 or about that?—A. That can be done; yes, sir.

By Mr. HOLTCAMP:

Q. It is not apt to be done, though, if the work is carefully done, is it?—A. No, sir.

Q. By experts?—A. No, sir.

SAMUEL D. ALEXANDER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 814 North Eighteenth.

Q. Did you vote at the election held on the 4th of last November?—A. I did.

Q. Where did you vote—what ward and precinct?—A. Ninth precinct of the Fourth Ward.

Q. Will you state what ticket you voted?—A. I voted the straight allied party ticket.

Q. Do you know who you voted for for Congress in the Twelfth Congressional district?—A. I do.

Q. Who was that?—A. I don't think it is necessary for me to state that.

Mr. WALSH. If it is a matter of personal privilege you can use your own discretion.

Mr. HOLTCAMP. I didn't think you would hesitate to say that in view of the fact that you say you voted the straight allied ticket.—A. I voted the straight allied ticket.

Q. Didn't scratch it?—A. No, sir.

By Mr. HOLTCAMP:

Q. Do you know whether you voted for Mr. Wagoner on that ticket?—A. I did not.

Q. Did you vote for James J. Butler?—A. I did not.

OSCAR M. AUERHEIM, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. State your residence.—A. No. 1620 Dollman street.

Q. Did you vote in this city at the election held on the 4th of last November?—A. Yes, sir.

Q. What ward and precinct?—A. Seventh Ward, twelfth precinct.

Q. Will you state for whom you voted for Congress in the Twelfth Congressional district, short term?—A. I voted for George Wagoner and the straight Republican ticket.

Cross-examination by Mr. WALSH:

Q. Where do you live?—A. 1620 Dollman.

Q. Have you a brother Adam living at the same address?—A. That is my father.

Q. Did he hold any official position at the election on November 4, 1902?—A. He did, but I couldn't say what it was.

Q. Was he an official at the last election?—A. Yes, sir.

Q. Now, when you secured your ballot what did you do with it?—A. I took out the Republican ticket and folded it up, and scratched all the rest, and handed the Republican ticket back to the judge, who put it in the box. That is all I seen.

Q. You handed it back to which judge?—A. I don't know which one it was.

Q. Did you hand it to your father?—A. My father wasn't there at all; I didn't see him at all when I went in to vote.

Q. What ward did you say you voted in?—A. Seventh Ward, twelfth precinct.

Q. And your father was an election official on that day?—A. Yes, sir; whatever he was I don't know. He had something to do with the election, from what I heard; I wouldn't say positive as to that; but from what I heard, he held some job.

Q. At the time that you gave your ballot to the judge who received it, did anyone else tamper with it or handle it in any way?—A. Not that I seen.

Q. Not that you saw?—A. No, sir.

Q. What did you see?—A. Didn't see anything; only simply they handed me the ballot, as I say, and I voted my ticket and gave it back to them and they put it in the box, and that is all there was to it, and I walked out.

Q. Did you see it put in the box?—A. Yes, sir.

Q. And you know that it went in the box?—A. I know that it went in the box.

Q. Your father was one who assisted in the count?—A. I don't know; I didn't see him there, but I heard that he was. I only know that my mother told me he had something to do at the polls, but what it was I don't know.

Q. Was he out late on the night of the election?—A. I don't know anything about that; I was up late myself.

Q. What do you do?—A. I run a cigar store.

Q. Whereabouts?—A. No. 15 South Sixth street.

Q. What time did you get home on the 4th of November?—A. It might have been a quarter to 12.

Q. Was your father at home?—A. I couldn't say; I didn't search the beds to find out.

Q. You don't, even in your own house, look to find out how many beds there are?—A. No; I go to my own bed.

Q. Do you know how many beds are in the house?—A. Yes, sir; there are three beds.

Q. Who occupies them?—A. My mother and sister and my father and myself.

Q. What is your first name?—A. Oscar.

Q. You didn't search the beds that night to find out whether your father was there or not?—A. No.

Q. You say nobody but your mother and your sister and your father occupy the beds there?—A. Yes, sir; there is a family living downstairs. I don't know how many are in the family and I don't know whether any strangers sleep there or not; I can't say about that. Sometimes they may have company and they may sleep there. Am I supposed to know that?

Q. I don't know what you are supposed to know.—A. Then why do you ask me such foolish questions and expect me to answer them?

Q. You think you are to decide whether a question is foolish or not, do you?—A. I am telling you what I know.

Q. Are you a witness here to answer questions here or not?—A. I am answering all the questions, but I am not here to stay all day.

Mr. WALSH. You will stay until I get through examining you.

The WITNESS. Well, be quick about it then.

Q. What is the name of the family that lives downstairs?—A. Beglesbacher, or some name like that.

Q. How long have they lived there?—A. Well, I expect three or four months anyhow at that time. I don't know whether they really lived there that long or not.

Q. You know your ballot went into the box without being touched or interfered with?—A. I do, sir.

Q. Do you know whether your ballot was numbered or not?—A. Yes, sir; but I can't remember the number.

Q. What did you do to your ballot when you received it?—A. I tore it out from the other ballots and folded it and scratched the other ballots, and handed my single ballot to the judge, or whoever it was, and he put it in the box, and then I went out.

HENRY F. ZIEGLER, of lawful age, being produced, sworn, and examined in behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1410 Grattan.

Q. Did you vote at the election held on the 4th day of last November?—A. Yes, sir.

Q. What ward and precinct?—A. Seventh Ward, twelfth precinct.

Q. Will you state whom you voted for for Congress in the Twelfth district for the short term?—A. I voted the straight Republican ticket.

Q. Didn't scratch it at all?—A. Not at all.

Cross-examination by Mr. WALSH:

Q. What precinct and ward do you live in?—A. Seventh Ward, twelfth precinct.

Q. Who else lives at your house?—A. Downstairs, Mr. Kennedy.

Q. How do you spell your name?—A. Z-i-e-g-l-e-r.

Q. What did you do when you voted? What was your method?—A. I went in and got a ballot prepared.

Q. You went to the booth, tore off your ballot?—A. Yes, sir; tore off the ticket that I wanted to vote, and folded it up and handed it back to the judge, and handed the balance back to the judge.

Q. Did you see your ballot placed in the box?—A. Yes, sir.

Q. You know it went in the box just exactly as you voted it?—A. Yes, sir.

Q. Did you make any marks or erasures on it?—A. No, sir; I never touched it.

Q. Did you make any marks on the constitutional amendments?—A. I believe I scratched one amendment there; I am not positive, but I think I did, if I am not mistaken.

ED ZIEGLER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1424 Grattan.

Q. Did you vote at the election held on the 4th day of November held in this city?—A. Yes, sir.

Q. What ward and precinct?—A. Seventh Ward, twelfth precinct.

Q. Will you state for whom you voted for Congress for the short term?—A. Mr. Wagoner.

Cross-examination by Mr. WALSH:

Q. You say that you voted for Mr. Wagoner. What ballot did you vote?—A. The straight Republican ticket.

Q. Did you make any erasures or changes on it?—A. No, sir.

Q. Just tore off the ticket?—A. Yes, sir; and handed it back to the judge, and he threw it in the box.

Q. He threw it in the box?—A. Yes, sir.

Q. And you know it was placed in the box?—A. Yes, sir.

Q. Did you hand your ticket to anyone else during the interval?—A. No, sir.

Q. It went right to the judge?—A. Yes, sir.

Q. And he placed it in the box?—A. That is what he did.

Q. Do you know any of those judges or clerks who acted there?—A. No, sir. I know two of them; that is all.

Q. Who are they?—A. One named John Grubb and Mr. Amrhein.

Q. Do you believe they are honest men?—A. Yes, sir.

Q. Do you think they tampered with your ballot in any way?—A. No, sir; I can't say they did.

Q. Are you more willing to believe that if there was any statement that your ballot was cast for anyone else than Wagoner that the statement of some one else is more liable to be incorrect than the statement of Mr. Amrhein?—A. No; I wouldn't say that. It was cast for Wagoner; that is all I can say.

Q. If some one comes forward now and represents to you that it was not cast for Wagoner, do you want to charge Mr. Amrhein or any of the judges or clerks there with dishonesty or being guilty of fraud?—A. No, sir; I wouldn't do that.

CHAS. R. GRAVES, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. No. 2618 Locust.

Q. Did you vote in this city on the 4th day of last November at the election?—A. Yes, sir.

Q. What ward and precinct?—A. Fifth precinct, Twenty-second Ward.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district for the short term?—A. I voted for Geo. C. R. Wagoner.

Cross-examination by Mr. WALSH:

Q. What ballot did you vote?—A. Republican.

Q. Fifth precinct of the Twenty-second Ward?—A. Yes, sir.

Q. Did you make any erasures, alterations, or changes on your ballot in any way?—A. I scratched one Republican. Didn't vote for any Democrat, but I scratched one Republican.

Q. Do you object to stating who it was you scratched?—A. Not in the slightest.

Q. Who was it?—A. A man named Orth, who was a candidate for the legislature.

Q. That was owing to a little factional fight in the ward, was it not, that Orth was obnoxious to some Republicans?—A. He was obnoxious to me. I don't know whether it was particularly factional, but I didn't think the man was fitted for the position.

Q. Although he had been nominated by the Republican party?—A. Presumably; yes, sir. It seemed that way.

Q. You don't know whether he was nominated by the Republican party or not?—

A. He seemed to be, and I guess he was. He didn't suit me and I scratched him.

Q. You have held some positions under the Republican city government, have you not?—A. Yes, sir.

Q. What?—A. I was secretary of the council four years and in the building commissioner's office two years, from 1895 to 1897. I was secretary of the council from 1897 to 1901.

Q. When you secured your ballot, what was the method that you followed, Mr. Graves?—A. My recollection is that I scratched the ballot on the judges' table or a table right near them, and scratched the amendments, scratched out the name of the party that I voted against, as I say, and did not write any other names in there. I handed it to one of the judges and stood at the box until I seen it deposited.

Q. And you saw that the ballot was deposited in the box?—A. Yes, sir.

Q. You know that it went into the box?—A. It went into the box.

Q. And it was the ticket that you voted?—A. Yes, sir.

Q. It was not in any way tampered with, up to the time that you saw it placed in the box?—A. No, sir; I stood right there over the box and saw it put there.

Q. And you are positive that your ballot went into the box just as you voted it?—A. Yes, sir.

Q. Were you a candidate for any office prior to the election?—A. No, sir.

Q. What business are you engaged in now?—A. Publishing a city paper on municipal affairs.

Q. In the interest of the Republican party?—A. No politics at all.

Q. How long have you been engaged in that?—A. About eighteen months.

Q. Since when?—A. Since I went out of the council.

Q. Are you familiar with any little trouble in the Republican party locally?—A. I used to be familiar with it; yes, sir.

Q. Wasn't there a little difficulty in the party in connection with the Congressional nomination?—A. There has been some friction in the party for quite a number of years, as I guess there is in all parties. Just what effect that had on the election I couldn't hardly tell.

Q. Don't you feel pretty well satisfied that the friction was of such a character as to almost disorganize the party?—A. No; I hardly think so, for this reason, if you will permit me—

Q. Certainly.—A. The disorganizers, while they might have voted against the Republican candidate to a certain extent, I think their opposition was confined to very few. I don't think that their influence extended far enough to hurt the party to any great extent.

Q. Well, who did you understand to be the leaders of the disorganizers?—A. Well, I might be a little prejudiced in answering that question. I have been a very strong factionalist, and it would be one of the most natural things in the world for me to say that the Kerens faction was the disorganizing faction, because I always fought that faction; but I would not charge the Kerens faction with being in opposition to

the party at the last election, but there were some of his followers possibly that would deserve the name of disorganizers more than the majority of them.

Q. And your position was quite pronounced with reference to the Kerens faction?—A. Yes, sir.

Q. And that factional fight has to some extent been taken up by the two Republican clubs, one known as the Merchants' League Club, and the other known as the St. Louis Republican Club?—A. Yes, sir; it has. I hardly think that that fight has entered into where national candidates were involved as much as local.

Q. Isn't it a fact that really this fight has narrowed itself down to the point of Federal patronage?—A. There is a great deal in that.

Q. That is the general belief?—A. Yes, sir.

Q. So, really, it is an effort on the part of one side to secure Federal recognition as much as possible, and an effort on the other side to prevent that recognition being secured?—A. Well, that may be, to a great extent; but I think it is a matter of principle.

Q. Of one faction?—A. Yes, sir; I think it is a matter of principle to destroy the influence of Mr. Kerens here, because he has never been successful. Never been a successful leader. That is my idea about it.

Q. And which club really represents the Kerens faction, from what you know?—A. It has always been supposed, in the last years, to be the Merchants' League Club.

Q. And Mr. Wagoner was quite a prominent member of the Merchants' League Club?—A. Quite a prominent member.

Q. He is the one that organized the Rough Rider faction, and has been quite active in the club, and has been quite a leader, and to some extent has secured, if not exactly the dislike, at least the nonsupport of the more factional party followers of the St. Louis Republican Club?—A. I hardly think so. I don't think the membership of the St. Louis Republican Club would be governed by that.

Q. Not as a club, but as individuals?—A. Well, I wouldn't be able to say as to the individuals.

Q. And the St. Louis Republican Club really represents what you might term the prominent business men of the Republican party?—A. I think the decent element of the Republican party.

Q. The very best element of the Republican party are in the St. Louis Republican Club?—A. There is no question about that.

Q. And they were the parties who were backing the Reynolds candidacy and endeavoring to bring out the best element in the party?—A. Yes, sir.

BENJ. SCHARFF, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. Where do you reside?—A. No. 3444 Pine.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. In what ward and precinct?—A. The Twenty-second Ward, and I think it is the eighth precinct.

Q. Will you state whom you voted for for Congress for the short term in the Twelfth Congressional district?—A. I voted the straight Republican ticket.

Q. You didn't scratch any?—A. I scratched one amendment, the seventh amendment.

Q. You didn't scratch any candidates on the Republican ticket?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. Which precinct and ward did you say you resided in?—A. Twenty-second Ward and the eighth precinct, I think. I am not positive; it is on Theresa avenue.

Mr. HOLT CAMP. It is the twelfth precinct.

A. Yes; I didn't know. It is on Theresa avenue.

Q. Do you remember the judges and clerks that were in that precinct?—A. I did not know but one person there, and that was Mr. Simon Harris.

Q. Was Dr. Barnes also a judge there?—A. I don't know him.

Q. Do you recall quite a striking-looking gentleman with a brownish-looking beard?—A. I could not. I didn't notice any at all. I was in a hurry to get down town and just went in there and voted and went down town.

Q. When you took the package of ballots you took from it your Republican vote, and then what did you do?—A. Folded it up and gave it to the judge, and he put it in the box.

Q. Did you see it put in the box?—A. Yes, sir.

Q. You knew it went into the box?—A. Yes, sir.

Q. You are just as positive as you can be that your ballot went into the box as you voted it?—A. Yes, sir.

Q. Mr. Simeon Harris is a man for whose integrity you have a regard?—A. Yes, sir.

Q. You respect him as a gentleman?—A. Yes, sir.

Q. You are positive that he is perfectly honest and would not charge him with being a party to a transaction which would have for its object invalidating your ballot and changing it?—A. Not in the least.

Q. You think that Mr. Harris looked after the interests of his party in these polls as well as the other Republican officials?—A. Yes, sir.

Q. And he was one of the election officials at that place?—A. Yes, sir; I think he was clerk.

Q. Mr. Harris is at the head of one of the local organizations in that ward, the Twenty-second Ward Republican Club?—A. I believe so; yes, sir.

Q. He is a very active Republican?—A. He is.

Q. And he is undoubtedly and undeniably attached to his party and does everything for his party that he can?—A. Yes, sir.

JOHN C. KUEMERLE, of lawful age, being produced, sworn, and examined in behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1409 South Fourteenth.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Yes, sir.

Q. What ward and precinct?—A. Seventh Ward, twelfth precinct.

Q. Will you state for whom you voted for Congress for the short term?—A. Well, I forget his name. I voted the Social ticket—the whole lot.

Q. The straight Socialist ticket?—A. The straight ticket. I crossed nothing.

ADAM AMRHEIN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. I live at 1620 Dollman.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. I did.

Q. What ward and precinct?—A. Seventh Ward, twelfth precinct. I was judge at the polls.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted the straight Republican ticket.

Q. Didn't scratch it at all?—A. Not a bit.

Cross-examination by Mr. WALSH:

Q. You were the judge in the polls, weren't you?—A. Yes, sir.

Q. And you were there all day?—A. Yes, sir.

Q. And you know there was nothing done to any of those ballots after they were emptied from the ballot box, except to count them?—A. Not a bit.

Q. The ballots were all out on the table where you could see them?—A. All on the table.

Q. And you assisted in the count of them?—A. Yes, sir.

By Mr. HOLTCAMP:

Q. How old are you?—A. I am 76.

FRANK WEST, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 807 South Seventeenth.

Q. Did you vote at the election on the 4th day of last November in this city?—A. Yes, sir.

Q. Where did you vote; in what ward and precinct?—A. Sixth Ward, twelfth precinct, I think it is, if I am not mistaken.

Q. Do you remember the street number of the polling place?—A. It was on Fifteenth street, between Gratiot and Singleton; I don't know the number.

Q. Will you state for whom voted for Congress in the Twelfth Congressional dis-

strict, short term?—A. I voted the straight Republican ticket, but according to the instruction, I think I made an error. I didn't vote right, for it says for me to take off the ticket and fold it up. I scratched all the other tickets and folded it up and folded all of them up and handed to the judge and he put it in the box, and I didn't tear it off, but I didn't make a separate bunch of it.

Q. The whole business went in?—A. Yes, sir; the whole business went in. I scratched all the others and folded it up, and I found out since that I made a mistake.

Q. You didn't scratch any names on the Republican ticket?—A. No, sir.

ROBERT McWILLIAMS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1234 Morgan.

Q. Did you vote in this city on the 4th day of last November at the election held on that day?—A. I did, sir.

Q. What ward and precinct?—A. Fifth precinct of the Fourth Ward.

Q. Will you state for whom you voted for Congress for the short term?—A. Geo. C. R. Wagoner.

Q. Did you hold any position at the polling place that day or were you appointed to any?—A. Yes, sir; I was appointed challenger by the Republican central committee.

Q. Did you officiate as challenger?—A. I tried to.

Q. Were you there all day?—A. I was there; went there at ten minutes to 6 o'clock, before the polls opened, and I left there at 7 o'clock in the evening.

Q. Were you interfered with in any way?—A. I was told to get out. I presented my credentials to the Democratic judges there and they read them, and they told me as there was no Democratic challenger there that I had better get outside; that they didn't intend to have any challengers that day.

Q. Did you have any conversation, or were you told anything by the police officers in connection with the matter?—A. Yes, sir.

Q. What was that?—A. One of the policemen told me to get away a hundred feet from the polling place, and I told him I would stay; that I had a legal right to stay there; I had the credentials of a challenger; he told me to get away.

Q. Did you remain anyhow?—A. Well, I did for a while, until a gang of Indians came around there, and I seen it wasn't safe to stay there.

Q. What time of the day was that?—A. It was about 9 or 10 o'clock when the crowd came around.

(Objected to as not being evidence in rebuttal.)

Q. You then went back again?—A. I stayed around there until 7 o'clock in the evening.

Cross-examination by Mr. WALSH:

Q. What is your name?—A. Robert McWilliams.

Q. You live where?—A. No. 1224 Morgan.

Q. Do you remember what time you voted?—A. Yes, sir.

Q. You voted the first ballot cast in the precinct, didn't you?—A. I did, sir; yes, sir; that was 6 o'clock in the morning.

Q. You voted for Wagoner?—A. Voted for Wagoner; yes, sir.

THOMAS R. DENNIS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 2708 Laclede avenue.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Fourteenth Ward, tenth precinct, if I ain't mistaken.

Q. Do you know where the polling place was located?—A. On the south side of the street, North Twenty-seventh; I don't know the exact number.

Q. What street?—A. Laclede, they call it; the side is Manchester avenue.

Q. Will you state who you voted for for Congress for the Twelfth Congressional district, short term?—A. James J. Butler.

Q. What time did you vote there?—A. About 10 o'clock in the morning.

Cross-examination declined.

R. BECK, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live, Mr. Beck?—A. 2809 Walnut.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. No, sir; I did not.

Q. You didn't vote at all?—A. No, sir.

By consent, the two following witnesses, who are on to-morrow's list, are examined at this time.

PAUL W. HEBERT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 208 Chestnut.

Q. What is your occupation?—A. I am a laborer, working for the Government.

Q. Can you expect to be here in the city to-morrow?—A. I don't know; I can't tell where I will be to-morrow. My work goes with the weighers and gaugers.

Q. Did you vote in this city on the 4th day of last November?—A. Yes, sir.

Q. Where did you vote?—A. I voted at Third and Olive, in the Fourth Ward, first precinct.

Q. Will you state who you voted for for Congress for the Twelfth Congressional district, short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. Where was the polling place where you voted?—A. Third and Olive, in the barber shop; south of Olive, on Third, at the barber shop.

Q. And you are just as positive that you voted for Wagoner as you are that you voted in the first precinct of the Fourth Ward?—A. I know so.

GEORGE NUNLEY, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. I live at No. 5 South Garrison. I lived at 210 North Ewing on election day.

Q. Did you vote at the election held that day?—A. Yes, sir; I voted in the Twenty-second Ward; I don't know what precinct, but it was in the rear of Twenty-eighth and Olive—on Olive street, in the rear of Olive. The polling place was on Twenty-eighth street.

Q. Will you state who you voted for for the Twelfth Congressional district, short term?—A. Voted the straight Republican ticket.

Q. Did you scratch it at all?—A. No, sir; I did not.

Cross-examination by Mr. WALSH:

Q. What was your method?—A. I walked in and told them I wanted to vote, and they gave me a bunch of tickets, and I stepped behind in the caboose and folded the ticket and handed it to the judge.

Q. Stepped behind what?—A. The caboose or something.

Q. This voting was carried on in a room and not a railroad yard.—A. Yes.

Q. You handed your ticket to the judge and the judge numbered it?—A. Yes, sir.

Q. You saw him drop it in the box?—A. Yes, sir.

Q. You know it went into the box; you are positive of that?—A. Yes, sir.

Q. Nobody handled the ballot after you prepared it until you dropped it into the box?—A. Nobody but the judge.

Q. How long have you lived at this number that you have given?—A. I lived there about three months.

Q. Before election?—A. About two months before election.

Q. And what address were you living at on election day?—A. 210 North Ewing.

Q. Where are you living now?—A. No. 5 South Garrison.

Q. Were you employed at 210 North Ewing?—A. Not exactly. I was taking care of the club, the Twenty-second Ward Republican Club. I cleaned up there.

Q. Did you know the judges and clerks in that precinct polling place?—A. No, sir.

Q. What precinct did you say that was?—A. I don't know what precinct it was. It was in the Twenty-second Ward.

Q. You were kind of a janitor for the Twenty-second Ward Club?—A. Yes, sir; I was.

Q. And didn't know what precinct you lived in?—A. I did not.

Q. Did you know Mr. Joseph Guthrie?—A. No, sir; I did not.

Q. Did you know Mr. A. D. Weld?—A. No, sir.

Q. Did you know J. F. Nixon?—A. No, sir.

Q. Wasn't Mr. Weld a prominent member of the Twenty-second Ward Republican Club?—A. Not as I know of; I don't remember.

Q. You didn't know any of the parties in the polling place on that day?—A. No, sir; I did not.

Q. Do you know whether the one that you gave your ballot to was a Republican or Democratic official?—A. No, sir; I don't.

Q. But you are positive that your ballot was placed in the box, and you saw it go in there without any tampering in any way?—A. Yes, sir.

JOSEPH FREIL, of lawful age, being produced, sworn, and examined on the part of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. You are the gentleman who was on the stand yesterday?—A. Yes, sir.

Q. And who testified to having canvassed the fourth precinct of the Twenty-third Ward?—A. Yes, sir.

Q. And had made this list and hadn't it with you?—A. Yes, sir.

Q. Have you the list now?—A. Yes, sir.

Q. Let me see it, please.

(Witness produces same.)

Q. Now, will you state what these blue check marks or purple marks mean?

(Objected to until the paper is identified and regularly offered in evidence.)

A. They are supposed to be people not living in the places of residence.

Q. As a result of your personal canvass?—A. Yes, sir.

Q. Now, this list that you have handed me is a printed list of registered voters of the Twenty-third Ward of the fourth precinct, is it?—A. Yes, sir.

Q. Dated October, 1902. Will you state where you obtained this printed list?—A. A friend of mine got that list for me.

Q. Did you ever compare this list with the other printed lists of registered voters of the Twenty-third Ward, fourth precinct?—A. No, sir.

Mr. HOLTCAMP. I offer this in evidence and ask that it be marked. Said paper is marked "Exhibit XX."

Cross-examination by Mr. WALSH:

Q. What is your name?—A. Joseph Freil.

Q. Have you got any other initial?—A. "F."

Q. Where do you live?—A. No. 2937 Laclede avenue.

Q. This piece of paper which you have brought here, which has been offered in evidence, has been stated to be a printed list which you secured from somebody who got it from somebody else.—A. Got it from the city hall.

Q. You didn't get it, did you?—A. No, sir.

Q. Somebody else got it from there, and that is the only information you have got. You don't know it to be a fact?—A. I don't know whether he got it from there.

Q. You know you got it from him?—A. Yes, sir.

Q. What ward do you live in?—A. Twenty-second Ward.

Q. What precinct?—A. Sixth precinct.

Q. You don't live in the Twenty-third Ward, fourth precinct?—A. No, sir.

Q. You have got no business over there at all?—A. Well, I am working in the precinct.

Q. Where?—A. No. 2901 Manchester avenue.

Q. What do you do?—A. Meat cutter; working in a butcher shop for Charles Lessman.

Q. That is the gentleman who was a candidate for the legislature?—A. No, sir.

Q. Did you sign his petition as a candidate for the legislature?—A. Yes, sir.

Q. Did you sign any other petition?—A. Yes, sir.

Q. Whose petition?—A. Mr. Wagoner's.

Q. Where did you sign it?—A. Signed it in Decker's barber shop.

Q. Who was present?—A. Al Cotty was present besides myself.

Q. You and Al Cotty were the only two that were there?—A. He called me off the street as I was walking down and asked me to sign the petition, and I signed it.

Q. Do you remember when that was?—A. I couldn't tell you; it was after I signed Lessman's petition.

Q. You were a candidate for the office of the justice of the peace in that district, were you not?—A. No, sir; I was a candidate for constable.

Q. Do you mean to say that all the persons whose names are stricken off the list which has been filed as an exhibit were illegally registered?—A. I couldn't say.

Mr. HOLCAMP. The counsel for the contestee is incorrect when he says any names were stricken off.

Q. All that were checked here?—A. Blue check; yes, sir.

Q. Do you say they were illegal registrations?—A. No, sir; those are the answers I got from the doors as I canvassed the precinct.

Q. Do you say at 3045 Clark avenue that Charles Chartrand is an illegal registration?—A. There is a check there. That is the answer I got at the door.

Q. Don't you know that he is a brother of Mark Chartrand, a very prominent Republican here in the City of St. Louis?—A. No, sir; I do not. I don't know Mark Chartrand at all.

Q. How long have you been a Republican?—A. I am on the Republican ticket this time as sheriff.

Q. You say you don't know Mark Chartrand?—A. No, sir.

Q. Will you say at 2910 Laclede avenue that Ed R. Ritter is not a resident?—A. Not at the present time; no, sir.

Q. Was he on November 4, 1902?—A. No, sir.

Q. When did he leave there?—A. Well, I know that lady personally, and I asked her and she told me. I don't think she would tell me any lie about it. I knew her from her coming in the shop. She was a customer that came to the shop.

Q. What does this mean; this black pencil mark?—A. Well, those are blue marks there. I crossed off little dates that I had in pencil there. Didn't want them mixed up with the other.

Q. What does this mean over here?—A. That is the same thing.

Q. That is where you made a blue pencil mark and afterwards changed your mind?—A. Yes, sir.

Q. Found that you had made a mistake even in your canvass, as thorough as you made this and as familiar as you are with every resident?—A. Not every resident, but I know the biggest part. I couldn't state how many, but I know there is quite a number come to the shop who were living in that precinct, and I know them from coming in the shop.

Q. You say you signed the petition of George C. R. Wagoner?—A. Yes, sir.

Q. What was the nature of that petition, and what day did you sign it?—A. Oh, I couldn't tell you the day; it was for Mr. Wagoner, a petition for Congress, if I am not mistaken.

Q. Do you think you could have signed it for anything else besides a petition for Congress?—A. Well, I don't know; it might have been a fooler, I guess, if I did.

Q. A fooler for who?—A. For me, by signing it for any other purpose.

Q. You say nobody was present but Al Cotty when you signed that?—A. If I am not mistaken, he called me in off the street. I don't think there was anybody standing around at the time. I signed it in Decker's barber shop at Twenty-ninth and Manchester avenue.

Q. Was any notary there at the time?—A. Not that I know of.

Q. Did he introduce anybody as a notary?—A. No, sir.

Q. Did you sign that [showing witness certified copy of petition]?—A. Yes, sir.

Q. Just sign your name on there with your address that you wrote at the time you signed this petition.

(Witness signs as requested.)

Q. You always sign your name that way, do you?—A. Very near all the time.

Q. Is there any change that you ever make in it? Sign on the back if there is any other way that you sign.—A. Sometimes I might turn that a little zigzag around there.

Q. And you are careful to dot your "i" like that?—A. Well, no; not always.

Q. You did on both these occasions very carefully and very distinctly. Those two are your signatures?—A. Yes, sir.

Mr. WALSH. I ask that that slip be marked as an exhibit.

(Said paper is marked "Contestee's Exhibit.")

Q. Did you sign any other name at the time you signed this?—A. No, sir.

Q. And there was no notary present at the time you signed that?—A. No, sir; not that I know of.

Q. And you did not appear before any notary on the 3d day of October, 1902, to certify to your signature, did you? You are satisfied that there was no notary before whom you appeared to certify to your signature?—A. No notary that I know of.

Q. Did you go anywhere away from your shop afterwards and view your signa-

ture in connection with the Wagoner deposition and certify or state that that was your signature and that it was signed for the purposes therein set forth and of your own free will and consent?—A. Never went before any notary to that effect.

Q. And you did not write any other names on this petition? You are positive of that?—A. I am positive of that. I only wrote my own name.

CHARLES McKENZIE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 1709 Gratiot.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes

Q. What ward and precinct?—A. In the Sixth Ward, twelfth precinct.

Q. Will you state who you voted for for Congress for the short term in the Twelfth Congressional district?—A. I voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. Where do you live?—A. No. 1709 Gratiot.

Q. What ward and precinct?—A. Twelfth precinct of the Sixth Ward.

Q. State how you proceeded to vote; how did you get your ballot, and what did you do?—A. Well, I went in, and I think my ballot was between the second and the fifth, along in those numbers, and I went into the booth and scratched the ballot; scratched off Zachritz and McQuillan and put on McDonald and Taylor and then folded up the ballot without the taking off and handed it to the judge, and he put the whole thing in the box. Now, that's the way the vote was cast; it wasn't torn off nor nothing.

Q. Wasn't torn off?—A. No, sir.

Q. The whole ballot was put in?—A. The whole thing with all the tickets went in; only those two names were scratched.

Q. Now, you gave the whole package and that was all put in the box?—A. It was all put in the box; I seen it.

H. A. HIGHT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. I live at No. 5 North Twenty-first.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. No, sir.

Q. Didn't vote at all?—A. No, sir.

Q. Nowhere?—A. No, sir; I wasn't near the polls.

Cross-examination by Mr. WALSH:

Q. Where do you live?—A. No. 5 North Twenty-first.

Q. What is your business?—A. Carriage-body builder, woodworker.

Q. Are you working at your trade?—A. Not now I am not. I worked for John Klag up until I was taken with rheumatism.

Q. Where do you live in that house?—A. On the third floor.

Q. Do you run that place?—A. I have got four rooms up there and I rent three of them out.

Q. Who do you rent to?—A. Well, I rent one to a man named Flaherty, one to McKenzie, and Brown that keeps the restaurant, and Daugherty.

Q. Is it Daugherty or Dockery?—A. No; Daugherty and McKenzie and Brown.

Q. Those are the three that you rent to?—A. Yes, sir.

Q. Are they married men?—A. No; I don't think either of them are married.

Q. They live there with women, don't they?—A. No, sir.

Q. Don't they have women there?—A. One of them, McKenzie, does. I don't know anything about the woman.

Q. You don't know anything about the character of the people at all?—A. Yes, I do; I know Daugherty is the bartender, and I know that Brown keeps the restaurant on the corner of Chestnut and Twenty-first street, and McKenzie, I think, is the barkeeper.

Q. Who is the woman who lives there with them?—A. I don't know; I think he calls her his wife. I don't know.

Q. You know that she runs a house of ill fame on Chestnut street, don't you?—A. Oh, I have heard so.

Q. You know it, too, don't you?—A. No; I never was there.

Q. She is the woman that has been arrested as being a panel worker?—A. Several times, I believe.

Q. She is known as a panel worker?—A. That is what I have heard.

By Mr. HOLTCAMP:

Q. How old are you?—A. I was born in Philadelphia on the 1st day of August, 1820.

At this point I adjourn the further taking of said depositions until the afternoon of this day at 2 o'clock.

2 O'CLOCK P. M.

Pursuant to adjournment as above stated, on the afternoon of this 30th day of January, at 2 o'clock p. m., I continued the taking of said depositions, as follows:

PATRICK M. LALLY, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1832½ Papin.

Q. What is your occupation?—A. Police officer.

Q. Are you a patrolman?—A. Patrolman; yes, sir.

Q. Are you engaged in connection with that in the detective service?—A. No, sir.

Q. You walk a beat?—A. Yes, sir; walk a beat.

Q. I will ask you to state whether you are acquainted with the premises 1231 Linden street in this city?—A. Yes, sir.

Q. What is the character of that house?—A. It is a house of prostitution.

Q. Do you know who lives there?—A. Yes, sir.

Q. Who lives there?—A. Fanny Adams.

Q. Do you know how many men are living there?—A. No, sir; I do not.

Q. Do you know whether or not any are living there?—A. No, sir; I do not.

Q. How large a house is it; do you know?—A. It is about a four-room house; four or five.

Q. Do you know how many inmates there are?—A. I think there is four women there.

Q. Do you know the house 717 North High?—A. Yes, sir.

Q. What is the character of that house?—A. A house of prostitution.

Q. How many rooms in the house?—A. There is four.

Q. Do you know the inmates there—how many there are?—A. Well, about two.

Q. Two women?—A. Two women.

Q. Do you know the house 721 North High?—A. Yes, sir.

Q. What is the character of that house?—A. It is a house of prostitution.

Q. Do you know how many rooms there are in that?—A. No, sir; I do not.

Q. About how many?—A. I should think about six.

Q. Do you know how many inmates there are?—A. There is four or five.

Q. Do you know the house 703½ North Twelfth street?—A. Yes, sir.

Q. What is the nature and character of that house?—A. That is a house of prostitution.

Q. Do you know about how many inmates there are in that house?—A. No, sir; I do not.

Q. How large a house is it—about how many rooms?—A. Well, I can't tell. It is cut off in kind of stalls a little over the height of your head.

Q. Two or three story house?—A. No, sir; one-story house.

Q. Do you know the house 709 North Twelfth street?—A. Yes.

Q. What is the nature and character of that house?—A. That is a house of prostitution.

Q. How many stories in that house?—A. Two.

Q. Do you know how many rooms?—A. No, sir; I do not.

Q. Do you know how many inmates there are in there?—A. No; I do not.

Q. Do you know the house 715 North Twelfth street?—A. 715? I don't know whether I do or not.

Q. Do you know the house 726 North Twelfth?—A. Yes, sir.

Q. What is the nature and character of that house?—A. That is a house of prostitution.

Q. About how many stories are there?—A. Two stories.

Q. Do you know how many inmates there are?—A. Two, I believe, or three.

Mr. WALSH. We will renew the objection made previously to the introduction of any evidence along this line, as it is direct evidence and not evidence in rebuttal,

and it is evidence of which the contestee had no notice for the purpose of at any time introducing evidence to rebut it and is not in rebuttal of any evidence given by the contestee, and that we now have no time to secure any evidence to rebut any evidence of this character which is now being submitted.

Cross-examination by Mr. WALSH:

Q. Mr. Lally, who is the party that conducts the house at 703 North Twelfth street?—A. Miss Fanny Adams.

Q. She conducts the house at 709 North Twelfth?—A. Well, there is a woman there now making weinstein.

Q. Was she there on the 4th day of November, 1902?—A. No, sir.

Q. Who conducts the house at 715 North Twelfth street?—A. I don't know. Is that a corner house?

Q. I haven't anything to indicate that—only a printed list.—A. I don't know about 715.

Q. Don't know whether that is a house of prostitution or not?—A. No, sir; I do not.

Q. So, if you stated that was a house of prostitution, you may have been mistaken?—A. I did not state that.

Q. Now, 721 North High street; who conducts that house?—A. Her name is May Smith.

Q. Do you know who owns the property at 721 North High?—A. No, sir; I do not.

Q. Do you know the name of the agent who rents it?—A. No, sir; I do not.

Q. Do you know the name of the person who owns the property 703½ North Twelfth?—A. No, sir.

Q. Or 709 North Twelfth?—A. No, sir.

Q. Do you know the name of the agent who rents that property?—A. No, sir.

Q. The renting of property for the purpose of using it as a house of prostitution is a felony under the laws of the State, isn't it?—A. I don't know as it is a felony; I know it is against the law.

Q. State law?—A. State law.

Q. Have you ever reported to the circuit attorney the fact that these houses were being conducted as houses of prostitution?—A. No, sir.

Q. Do you know whether he knows of that fact?—A. No, sir; I do not.

Q. With reference to these houses, do you know the space they occupy?—A. No, sir; I do not.

Q. Do you know about what the frontage of 721 North High is?—A. I should say about 25 feet.

Q. About how deep? How far back does it extend?—A. I couldn't say that.

Q. Do you know whether there is any other house in the rear of 721?—A. Yes; it is all built up; very thickly settled there; it is the second house from corner of Morgan.

Q. There is a house in the rear of that?—A. Yes, sir.

Q. Do you know who lives in that?—A. No, sir; I do not.

Q. That is true of nearly all those houses there, is it not?—A. Yes, sir.

Q. The population is largely one that lives two or three in a room; about that character?—A. Yes; very thickly settled.

Q. Do you know this gentleman here who is just coming in the room, Mr. Lally?—A. Yes, sir.

Q. Do you know what his name is?—A. His name is White, the only name I know.

By Mr. HOLTCAMP:

Q. I will ask you if you recognize that as a photograph of the house 726 North Twelfth street?—A. That is the house.

(Said photograph is marked "Exhibit B 1.")

Q. I will ask you to say whether you can identify that as a photograph of 1231 Linden street?—A. That is the house exactly.

(Said photograph is marked "Exhibit B 2.")

Q. I will ask you whether or not you recognize that as a photograph of the house 723 North Twelfth?—A. Yes, sir; that is the house.

(Said photograph is marked "Exhibit B 3.")

Q. Are you acquainted with the premises 717 North High?—A. Yes, sir.

(Said photograph is marked "Exhibit B 4.")

Q. I will ask you whether you recognize that photograph as that house?—A. Yes, sir; that is the saloon with the house attached to it.

Q. What is the number?—A. No. 721.

(Said photograph is marked "Exhibit B 5.")

Q. This is a picture of the same building, only a different view?—A. Yes, sir. (Said photograph is marked "Exhibit B 6.")

By Mr. WALSH:

Q. I will ask you if you know who it was who produced these six photographs?—

A. No; I do not.

Q. Who handed them to Captain Holtcamp?—A. Mr. White here, I think.

Q. Who is Mr. White? Do you know him?—A. Oh, yes, I know him.

Q. Who is he and what is he?—A. Mr. White is a sort of "con" man; a steerer and grafter.

Q. Isn't he a police character?—A. Yes, sir.

Q. Do you know that he has been arrested?—A. Yes, sir.

Q. For what?—A. I got him myself some time ago. He is a "con" man; goes around with a lot of tickets; claims to have pawned valuable jewelry, and gets hold of a "sucker," and sells him a ticket in order to get the jewelry out of the pawn shop.

Q. That is the man that has been prompting Captain Holtcamp, the attorney for the contestant, with reference to these photographs just introduced?

Mr. HOLT CAMP. If you know, do you know he has been prompting me?

The WITNESS. No, I don't know that. I just saw him handing you the photographs.

Q. You saw him hand these photographs to Captain Holtcamp and suggest things to him as he handed him each photograph?—A. Yes, sir.

Q. Now 726, Exhibit B 1, that simply shows the front of that building, doesn't it?—A. Yes, sir.

Q. Now, in the rear of that that is all built up solidly?—A. Yes, sir.

Q. So that the front elevation, as shown there, gives no idea of all of that building, does it?—A. No, sir.

Q. No more than just the front?—A. No.

Q. That is true also of Exhibit B 2, isn't it; simply shows the front of the building without giving any idea of the depth or area covered by that building?—A. That's it exactly.

Q. That is true also of No. 703, being Exhibit B 3; simply shows the front elevation there?—A. Yes, sir.

Q. And in the rear of that the houses are built up solidly, are they not?—A. Yes, sir.

Q. The same is true of Exhibits B 4 and 5; simply shows the front elevation and gives no idea of the depth or area covered by the various buildings. In that section the buildings are built up solidly, aren't they?—A. Yes, sir.

Q. In these premises, Mr. Lally, there are other residents than prostitutes, aren't there?—A. Oh, yes.

Q. There are poorer classes of people?—A. Yes.

Q. People who are compelled to live in such locality owing to the cheap rent secured?—A. Yes.

Q. Now, there are other houses in the rear of these various houses that have been exhibited?—A. Oh, yes.

Q. Houses built up, that have their separate entrances and separate exits, and all that sort of thing?—A. Gangways; yes, sir.

Q. And in every other way separated from these houses that you have been shown?—A. Yes.

By Mr. HOLT CAMP:

Q. Mr. Lally, has this man that you have just identified and stated was a "con" man ever been convicted that you know of?—A. Well, really, I don't know, but that is his reputation. He is known as a "con" man—grafter.

Q. Among the police officers?—A. Yes, sir.

Q. But you don't know of his ever having been convicted?—A. Well, it is awful hard to convict a man of that kind.

Q. That is not what I ask. I ask if you know of his having been convicted?—A. Well, no, sir.

Q. You were at one time a detective?—A. Yes, sir.

Q. You are not now. You are a patrolman?—A. Yes, sir.

By Mr. WALSH:

Q. When you were a detective it was a part of your business to keep an eye out for just such men as this man, was it not?—A. Yes, sir.

Q. And in performing that duty you did arrest this man, as you have stated?—A. Yes, sir.

Q. Do you know whether his picture is in the rogues' gallery or not?—A. Yes, sir.

Q. Do you remember the number?—A. No, sir; I do not.

By Mr. HOLT CAMP:

Q. Now, as a part of your duty as a police officer, keeping your eye open, do you know whether or not it is contrary to law to keep a house of ill fame in this city?—A. Yes; it is contrary to law.

Q. Have you made any effort in keeping your eyes open to arrest any of the inmates of these houses?—A. Yes, sir; have to do that continually—day and night.

Q. And yet they are always back there? How long has it been since you have arrested any of the inmates of any of these houses?—A. Arrested a landlady a couple of days ago.

Q. Is she back there again?—A. Yes, sir.

Q. Running the house?—A. Yes, sir.

Q. And the houses are being run right along?—A. Yes, sir.

Q. And even though they are arrested they go right back and run the houses as if nothing had occurred?—A. Take them down there, and they give a bond, and they are right back on us again.

By Mr. WALSH:

Q. That is true of the prostitutes?—A. Yes, sir.

Q. And that is true of the confidence men?—A. Exactly.

By Mr. HOLT CAMP:

Q. Have you ever made an attempt to ascertain who an owner of this property is? You said you did not know.—A. No, sir.

Q. It is a violation of the law to rent these houses for that purpose?—A. Yes, sir.

Q. You have never made any effort to find out who was violating the law by renting these houses on your beat?—A. Well, the police rules govern that.

Q. I am asking you if you have done it?—A. No; the superior officer tells me that.

Q. Then you are acting under a superior officer in not making these efforts to obtain this information?—A. I am acting under him.

Q. Who is your superior officer?—A. Sergeant Hanrahan.

By Mr. WALSH:

Q. You have never had any orders not to arrest prostitutes?—A. No, sir.

Q. And prosecute them?—A. No, sir.

Q. On the contrary, your orders are to arrest and prosecute them when they are overstepping certain bounds?—A. Yes.

By Mr. HOLT CAMP:

Q. What are these bounds?—A. To keep their doors closed and their windows closed, and not come out on the streets in improper attire and rope in people on the streets.

Q. Is that all?—A. Yes, sir; for standing in their doorways and roping them in.

Q. You don't arrest them for conducting these houses?—A. No, sir; haven't got the authority.

Q. You have not that authority under the law?—A. Not under the police law.

LILY SMITH, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. Where do you reside?—A. No. 726 North Twelfth street.

Q. What is your occupation?—A. Keeping sporting house.

Q. At that place?—A. Yes.

Q. How large a house is it?—A. Six rooms.

Q. How many are living there?—A. Three.

Q. Three men living there?—A. Girls.

Q. And yourself?—A. Yes.

Q. Do you mean four, three besides yourself?—A. Three.

Q. Three besides yourself, or including you?—A. No; it makes four altogether.

Q. How many rooms in that house?—A. Six.

Q. How many men are living there?—A. No men.

Q. Were there any men living there in October?—A. No, sir.

Q. Or November?—A. No, sir; I am only there one month to-morrow.

Q. Where did you live before that?—A. I had a room.

Q. Whereabouts?—A. Warren avenue.

Q. Did you know this house 726 before you moved there?—A. Well, I knew a woman who was living there.

Q. Had you been there during October and November?—A. No; I am only two months here from New York.

Q. Do you know Police Officer Lally?—A. Yes, sir.

Q. Do you know Mr. Walsh, the attorney for the contestee?

(No answer.)

Q. You had a conversation with him out in the hall before you came in here, didn't you?—A. You mean him?

Q. No; I mean that man there.

Mr. WALSH. Which man do you indicate when you say that; Mr. White?—A. Yes.

Q. Did you have a conversation with Mr. Walsh and Police Officer Lally right here in the corner of the hall a little before we started? Tell it, now.—A. Yes.

Q. That is what I thought. What was said to you by Mr. Walsh?—A. I just told him I saw that gentleman in my house; that is all that I told him.

Q. What was said to you by Police Officer Lally as to what you should testify to?—A. That is all what I know.

Q. You stood there and talked to the police officer, didn't you?—A. I just told him I knew that gentleman; he came up there twice.

By Mr. WALSH:

Q. Which gentleman do you mean?—A. I don't know his name.

Q. Mr. White?—A. I don't know his name. You remember you came up there once and asked for Fanny Adams, and I told you to take a girl and go to bed.

Q. What say?—A. He came in and asked about Fanny Adams, and I told him where she lived.

Mr. WALSH. That gentleman is Mr. White?—A. I don't know his name; so he came in this morning again.

By Mr. HOLTCAMP:

Q. What did he say when you told him to take the girl?—A. He says he likes to see Fanny Adams, that she is a nice girl, or something like that.

Q. What did he say when you told him that?—A. He walked out.

Q. Didn't stay there?—A. No, sir.

Q. Didn't take the girl?—A. No, sir.

Q. What other conversation did you have with Mr. Walsh just outside of the hallway in this building here before you came in here, when you and Police Officer Lally and Mr. Walsh were talking together?—A. That is all; that I knew that gentleman, and he was up in my house.

Q. Who asked you whether you knew him?—A. I said that myself.

Q. And all the time you were standing in the hallway talking to Mr. Walsh and the Police Officer Lally, and that is all that was said, was it?—A. I was talking to my friend, who is outside.

Q. That is all that was said?—A. I just told him, "Yes; I know that gentleman." That is all what I said.

Q. What was that house used for before you moved into it?—A. Well, I don't know nothing about that.

Q. Where are you from?—A. New York City, and I was here before seven years ago.

Q. Did you live then at this house?—A. No, sir.

Q. Did you live anywhere around there?—A. On Eleventh street.

Q. How long have you known Mr. Walsh there?—A. That's the first time I met him.

By Mr. WALSH:

Q. When did you first meet Captain Holtcamp?—A. Right here to-day—this morning.

Q. He met you this morning?—A. Yes; I showed him the subpoena and said, "I am not the right party," and he said, "Yes, you are."

Q. He recognized you?—A. I don't know.

Q. He knew who you were? Had he been a visitor at your house?—A. No, sir.

Q. The gentleman you have referred to as being the one who called at your house is Mr. White, the gentleman sitting next to Captain Holtcamp?—A. Yes.

Q. And he has been a visitor at your house?—A. Yes.

Q. And you knew nothing about that house prior to the time you took hold of it?—A. No.

Q. You were not living there on the 4th day of November, 1902? You had not been a roomer there? You had had no opportunity for learning who was living there?—A. No.

By Mr. HOLTCAMP:

Q. You said you met me this morning?—A. Right here.

Q. Was that this morning or this afternoon?—A. This afternoon. I made a mistake. I don't want to say this morning.

Q. When you showed me the subpoena I asked you what your name was?—A. I said Lily Smith.

Q. And I asked whether that was your number on the subpoena?—A. Yes.

Q. And you said "Yes," and then I told you you was the one wanted?—A. Yes.

Q. You don't speak English very well, do you?—A. Well, I understand better than I can speak.

Q. They asked whether Mr. White was a visitor at your house?—A. Yes; he was there twice.

Q. Didn't stop, though, either time?—A. No.

STELLA JONES, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 216 South Eighth street.

Q. What is your occupation?—A. Sewing.

Q. What kind of sewing?—A. Plain sewing.

Q. Are you a married woman?—A. No, sir; I am not.

Q. I will ask you whether or not you recognize that as a picture of the house you live in?

Mr. WALSH. We will object to the introduction of this witness, and any testimony that may be taken here, on the ground that the evidence is not in rebuttal, but is in chief, and also desire to enter the same objection to the evidence of the witness last on the stand, and the evidence taken, for the same reason.

Q. Do you live downstairs or upstairs?—A. Downstairs.

Q. Who lives upstairs?—A. A woman named Annie.

Q. Annie what?—A. I don't know that.

Q. How many rooms are there in that house?—A. Two rooms and a very small kitchen.

Q. Upstairs the same?—A. Yes, sir.

Q. Then there are four rooms and two small kitchens in the house?—A. Yes, sir.

Q. How long have you lived there?—A. Well, five years in May.

Q. Were you living there last October and November?—A. Yes.

Q. Was anybody else living there?—A. Nobody but me.

Q. Any man living there?—A. No, sir.

Q. In October or November?—A. No, sir.

Q. Were there any living upstairs that you know of?—A. Yes; there was one man up there.

Q. Do you know his name?—A. His name is McKinney—Charles McKinney.

Q. Was he living there last October and November?—A. He was.

Q. Otherwise there were no men living in the house, that you know of, last October and November?—A. Not as I know of. Of course, I don't know much about those people upstairs.

Cross-examination by Mr. WALSH:

Q. What is the number of that house?—A. 216 South Eighth street.

Q. Who do you say lives upstairs there?—A. A woman by the name of Annie.

Q. That is about Eighth and Walnut?—A. It is on Eighth, between Walnut and Clark avenue, near the flour mill.

Q. Just north of the mill?—A. Yes, sir.

Q. What do you do for a living?—A. Sewing.

Q. What else?—A. Well, that is all. I am not able to do that; sick all the time.

Q. Were you ever known as "Blond Emma"?—A. Yes; that is a nickname.

Q. You were known to the police by that name?—A. I guess so.

Q. And in that connection when were you last arrested?—A. I was arrested in September.

Q. That was for having a young husband of another woman living with you, wasn't it?—A. Well, he wasn't living with me; no.

Q. Didn't that woman have him arrested in your house—a young man 25 or 26 years old?—A. Yes.

By Mr. HOLTCAMP:

Q. Was this young man that Mr. Walsh speaks of living at your house in October or November?—A. No, sir; he never has lived there.

Q. Did anyone come to your house in October or November and inquire as to whether any men were living there—canvassing that precinct?—A. I don't remember; but I don't think they did.

Q. Do you know whether any men were registered from that house as living there before the election?—A. No, sir.

Q. And you never were inquired of whether they were living there or not?—A. No.

By Mr. WALSH:

Q. When was that that you were arrested in connection with this young man?—A. It was—

Q. September, wasn't it?—A. September. I was trying to get the date. The 19th, I think.

Q. What was it that you were fined?—A. I was fined \$50, but they didn't prove it.

Q. Didn't prove it?—A. No; it was in the police court, and I didn't keep nobody there.

Q. What happened in connection with the \$50 fine?—A. Well, I had it changed upstairs, because I wasn't keeping nobody.

Q. What happened to you?—A. Took it to another court, because I didn't have nobody living with me at all.

Q. What other court did you take it to?—A. The three C's.

Q. Judge Willis Clark was the judge, wasn't he?—A. I don't know.

Q. What was the name of the lawyer who handled your case?—A. Judge Claiborne.

Q. On appeal you were discharged?—A. Yes.

Q. At this place?—A. Yes.

Q. When were you last in the workhouse?—A. I never was in the workhouse.

Q. You have been fined a number of times?—A. Been fined a couple of times.

Q. What were you fined for?—A. Fined for being keeper of a house, and I was taken off the steps once, but I wasn't doing anything—I was sitting there.

Q. Fined for a keeper of what kind of a house?—A. Well, house of prostitution is what it was supposed to be.

Q. When you were arrested off the steps what was that for?—A. Roper.

Q. You are living in that locality where roping is quite a common thing?—A. Yes; but respectable people live there same as anybody else.

Q. Is that in the Chinese locality?—A. No, sir; it is not.

Q. Isn't that the next block to what is known as Hop Alley?—A. It is a block and a half.

Q. Which side of the mill do you live?—A. North side.

Q. On the east side of Eighth street?—A. Yes.

Q. Are those three-story buildings along there?—A. No; the man who owns the property lives near the property that he owns.

Q. Is that right near to Druid's Hall?—A. Oh, no; that is on Ninth street.

Q. Who is this cuckoo you have reference to, the man who owns that property and lives next door to Seventh street?—A. I don't know.

Q. Isn't this a very thickly settled spot up there? Isn't there a house back of yours?—A. Yes.

By Mr. HOLTCAMP:

Q. How large a house is back of yours, back of 216?—A. Two-story.

Q. How many people living there?—A. I don't know.

Q. How many men?—A. I don't know, really; I couldn't tell.

Q. Do you know whether any men are living there?—A. Yes; there is some men lives upstairs and downstairs.

Q. Families?—A. Gentlemen.

Q. Men of families?—A. Yes.

By Mr. WALSH:

Q. But you don't know who lives upstairs over you only one man?—A. I know Charles McKinney lives upstairs.

Q. You don't know who else?—A. I don't think there is any man lives up there.

Q. You don't know?—A. I don't know; I couldn't say; I don't visit them, and I couldn't tell.

Q. What does the woman upstairs do for a living?—A. Well, I guess McKinney supports her.

Q. Don't do anything?—A. No.

Q. Has she been arrested lately?—A. No.

JOE VALENTINE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 810 Tenth street.

Q. North or south?—A. North, between Franklin avenue and Morgan.

Q. Did you vote on the 4th day of last November?—A. Yes.

Mr. WALSH. We object to the introduction of this witness on the ground that we have no notice of any witness from 810 North Tenth street. It says 810 South Tenth street. And for the further reason that it is not in rebuttal of any testimony, and that the contestee has received no notice of any intention on the part of either contestant or Congress to allow any such proceedings.

Q. Were you living there on the 4th day of last November?—A. I was living there about thirteen months.

Q. Who else was there when you were there in November?—A. I don't know. American people. I don't know.

Q. What is your nationality?—A. Who? Me? Italian.

Q. And you don't know anybody else living there?—A. No.

Q. How large a house is that?—A. Oh, about six rooms.

Q. Do you live upstairs or downstairs?—A. Downstairs; got two floors.

Q. What do you use them for?—A. Oh, I got my brother and my wife, and I got four men there.

Q. All Italians?—A. All Italians.

Q. Nobody but Italians living downstairs with you on these two floors?—A. No.

Q. Where do the American people live?—A. I don't know.

Q. Is it a two-story house?—A. Yes.

Q. You use the whole house?—A. Yes; we use the whole house.

Q. Then there was no one else living there but you and the other Italians?—A. All Italians.

Cross-examination by Mr. WALSH:

Q. Is there a house back of you?—A. Yes.

Q. Built up back of you?—A. Yes.

Not being able to complete the taking of said depositions this day by reason of the absence of witnesses, I hereby adjourn the further taking of the same until to-morrow, January 31, at 10 o'clock a. m.

Pursuant to adjournment as above stated, on this 31st day of January, A. D. 1903, at 10 o'clock a. m., I continued the taking of said depositions as follows:

MORRIS LAVIN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith, as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live, Mr. Lavin?—A. I live at 4848 St. Louis avenue.

Mr. WALSH. We desire to object to the introduction of this witness, for the reason that his evidence is not in rebuttal, but is evidence in chief, and that neither contestee nor his attorneys have had any notice of the intention of taking evidence in rebuttal, and that the time for taking evidence in chief has expired.

Q. On the 4th of November, 1902, where were you occupied in business?—A. No. 817 North Ninth street. Saloon.

Q. In this city?—A. Yes, sir.

Q. How large a house was that?—A. Eight rooms.

Q. Did you rent and have control of the entire house?—A. Yes.

Q. You occupied the first floor as a saloon, you say?—A. Yes, sir.

Q. How were the other rooms occupied?—A. They was occupied by boys living with girls who hustled on the street; prostitutes on the streets. They used to come home and stay with them till 12 o'clock at night; came just as quick as they got through with their customers.

Q. How many rooms were occupied by them in that way?—A. Six rooms; the people we rented from was Louis and Max Servena. They got a saloon.

Q. Were they the only two that regularly lived at that place, No. 817 North Ninth street?—A. Yes.

Q. Now, if the registration lists in the election commissioners office show that there were 29 men registered from that place, is that a fact that there were?—A. No, sir; I got the names of every bun that is hanging around there.

Q. Do you mean they regularly lived there?—A. No; there couldn't be 29. There

was only eight rooms there. There were no two girls and men in a room; the girls wouldn't stay that way.

Q. The rooms occupied by these girls were only occupied for purposes of prostitution, and the men that came there were only there for the night, so to speak?—A. That is the men they lived with regularly; that's the men they gave their money to; they hustled on High street and Wash street, some place.

Q. How many men were regularly at 817 North Ninth?—A. Max Rebeck, Rene Schrayser, Frank Hest, and Adolph Klein, and Louis and Max Servena; that's the only people that occupied that place.

Q. That made six?—A. Yes.

Q. Do you know whether or not this No. 817 North Ninth street was canvassed by the election clerk?—A. There was, but I wasn't there at the time the young man came around, but I was told that, and Nathan, that is the manager for Max Servena, he was away at Hot Springs at the time—that is the man that owned the place; Nathan was his manager.

Mr. WALSH. What are you looking at in your hand?—A. Nothing; just looking at an envelope.

Q. Has it got a memorandum on it?—A. No, sir.

Q. Will you let me look at it?

(Witness hands same to counsel.)

Q. You were not there when the canvass was made?—A. No; they told him not to tell me anything.

Mr. WALSH. Do you know this?—A. If I didn't know it I wouldn't say so.

Q. Did you hear them tell it?—A. That's what the man told me.

Q. Then don't tell it.—A. He came that evening and told me on Seventeenth street. That was Nathan, Servena's manager.

Q. Then at your place on the 4th day of last November there were only six men living at that place?—A. Yes; that is all.

Cross-examination by Mr. WALSH:

Q. What you have been testifying to here is not what was told this man; did you hear this man told anything?—A. He told me right to my face the same evening.

Q. Told you what?—A. Not to say anything if anybody came around and tried to canvass.

Q. What is the name of this man that told you that?—A. Nathan Kretchner, who represents Louis and Max Servena. Got a pool room on High street.

Q. Let me look at that envelope again. What are these names that you have been speaking of here? Who is Louis Reback?—A. Somebody there.

Q. What is there about that?—A. That's the man that lives there.

Q. When did he live up there?—A. He lived up there while I was there.

Q. What did you jot it down on this paper for?—A. Well, because I wanted to know who were there.

Q. When did you jot it down here?—A. When I was there.

Q. How long ago was that?—A. When I gave it up, on the 8th day of November.

Q. You say you jotted this down on the 8th of November on this envelope?—A. Yes.

Q. And the envelope bears the postmark January 27, 1903?—A. I wrote all their name down and then put it on an envelope.

Q. You just now said you wrote this on the envelope on the 8th of November.—A. I wrote all the names down while I was there, and then I put them down on this envelope this morning.

Q. When did you put it down this morning?—A. Before I came here.

Q. Weren't you having conversation with some attorneys on the other side in the back room here?—A. Not about that envelope.

Q. Weren't you talking about this matter this morning?—A. No, sir.

Q. Before you came on the stand?—A. No, sir; we were talking about the army service, and about the captains and the soldiering in Cuba.

Q. Did you serve under Captain Holcamp?—A. No; Captain Hunter. I was in the United States Army, and I was talking to him about army service.

Q. What is your business?—A. I am salesman. At present I ain't doing nothing at all since I gave up the saloon.

Q. You were saloon keeper?—A. Yes, sir.

Q. How long?—A. I bought him out in the middle of September.

Q. Burned out?—A. I bought him out, I tell you. I don't do that kind of business.

Q. What kind of business?—A. I don't insure any property and then burn out.

Q. Are you afraid of being accused of burning out?—A. A Jew is generally accused of it.

Q. You are a Jew, then?—A. Yes; I don't deny it

Q. Who are these whose names you have down here?—A. That's the names that were living up there.

Q. What are the names of the people who were living up there?—A. It is on that envelope yet.

Q. I am asking you?—A. There was Louis and Max Servena, Mike Reback, and Benny Schrage; that's all.

Q. That is all, is it?—A. And myself—downstairs.

Q. Did you rent the rooms upstairs?—A. No, sir; I had nothing to do with renting them rooms; I rented the place of Servena.

Q. You had nothing to do with the rooms upstairs?—A. No, sir.

Q. Know nothing about them?—A. No.

Q. Didn't rent them?—A. No.

Q. You don't know who occupied them, except as this envelope informs you?—A. I had to go up and collect the rent, and I had to know who occupied them.

Q. Who did you collect it from?—A. From Mr. Nathan.

Q. You collected from the person you rented the entire building to?—A. Yes.

Q. So you don't know who was living there?—A. I knew, because they were hanging out in my place. I knew, because they were living upstairs. I didn't ask nobody to come into my place except them who lived upstairs.

Q. You say these men hanging around your place were men who lived off of the profits of these prostitutes?—A. Yes.

Q. What are ordinarily known as pimps?—A. Yes.

Q. Was that the general character of the people that hung out in that place?—A. That place is known for that.

Q. A regular pimp saloon?—A. Yes; that's the reason I gave it up, too.

Q. How long did you run it?—A. I run it a month and then give it up.

By Mr. HOLTCAMP:

Q. How long have you been in the Regular Army?—A. Nine years and seven months.

Q. Were you in the Philippine campaign?—A. Yes.

Q. In the Philippine Islands?—A. No; I got disabled in Cuba, and I got a certificate of disability in Huntsville, Ala., on September 2, 1898.

Q. You have an honorable discharge?—A. Yes; I got three discharges, and I draw a pension at present; that is, a small pension.

JAMES O. CHURCHILL, of lawful age, being produced, sworn, and examined on the part of contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 3028 Washington avenue.

Q. What precinct and ward?—A. Ninth precinct, Twenty-second Ward.

Q. What is your business?—A. Chief clerk of the custom-house; special deputy.

Q. You were called Col. James O. Churchill?—A. Yes, sir.

Q. Where did you get your title?—A. I was in the Army five years and a half.

Q. During what period?—A. From 1861 to 1866.

Q. You were colonel of what regiment?—A. I was in the Quartermaster's Department. Held the position of lieutenant-colonel; that is the last service, in the Quartermaster's Department, after the war was over.

Q. You are a veteran of the civil war?—A. Yes, sir.

Q. Do you know where the polling place was in your precinct on election day last year?—A. No. 210 North Channing avenue.

Q. Were you at your polling place on election day?—A. I went there early in the morning, about a quarter to 6, before the polls opened; the polls were not opened until a quarter past 6.

Q. Did you vote at that election?—A. I did.

Q. Do you remember at this date for whom you voted for Congress for the short term?—A. Yes, sir; I voted for Mr. George C. R. Wagoner.

Q. How long were you at the polling place that morning?—A. Well, for a full half hour, or more than half an hour, because I was there at a quarter of 6, and I voted about twenty minutes past 6.

Q. Now, will you tell us what you saw and heard there? In the first place, was there a challenger at that polling place?—A. Yes, sir; Mr. Horace G. Beedle was challenger.

Q. Was he acting as challenger while you were there?—A. Well, he said so. I didn't see his commission, but he told me that he was. He was in the room in the polling place when I was in there.

Q. Was he excluded from the polling place when you were there?—A. He was.

Q. Just tell us about that.

(Objected to as not being in rebuttal and not in response to any evidence introduced by contestee.)

A. One of the judges told him that he must go out; that he must be put out.

Q. Told who?—A. Told Beedle, and he objected to going out—said he wouldn't go out—and then this judge called upon the police officer and told him to put him out, which he did. He made the remark, "We are going to run this thing ourselves."

Q. Who made the remark?—A. This judge. I didn't know the judge personally.

Q. Do you know whether he was the Republican judge or the Democratic judge?—

A. Now, I will have to tell you what I was told.

Q. Tell us that.

(Objected to as hearsay.)

Q. Were you told this right there at that time?—A. Yes, sir.

Q. What were you told?—A. I was told that his name was Cronin and that he was the Democratic judge.

Q. Was Beedle put out then?—A. He was put out by the police.

Cross-examination by Mr. WALSH:

Q. Do you know whether or not Mr. Beedle had any credentials to act as challenger?—A. I do not, only what he told me; that is all.

Q. Did you see any credentials?—A. I did not.

Q. Did you see him offer or tender to the judges any paper?—A. He went in just before I did, and if he did, he must have done it before I went in there. I went in right after him.

Q. What was the language used by Mr. Beedle as to not being ejected?—A. It was a verbal protest only; that he was a Republican challenger and proposed to stay there.

Q. Did he show anything at that time to indicate his right to stay?—A. I didn't see it.

Q. As to the force used to eject him, how much or how great was that force?—A. The policeman took him by the arm and led him out. He used no special force.

Q. And the policeman acted in response to an order from the judge?—A. From the judge; yes.

Q. Do you know how many judges concurred in that?—A. I do not. They were all silent. They seemed to acquiesce by their silence.

Q. There were none of them protesting against Beedle being ejected?—A. No, sir.

Q. And Beedle made none other than in a verbal way, stating that he was Republican challenger?—A. Yes, sir.

Q. You know that a challenger should have a paper which is known as his credentials?—A. He may have had it; probably he did.

Q. Now, will you be willing to say that he probably did not, as he did not exhibit any credentials?—A. I couldn't say that.

Q. You will say that he probably did?

(Objected to.)

Q. Or you will not, in the absence of any knowledge, say that probably he did not?—A. I assume that he had the proper paper.

Q. If he had produced papers made out by himself and signed by himself, would you say that they were proper credentials?—A. No, sir.

Q. If that was the case and he had appeared there with the paper appointing himself, you wouldn't think so?—A. I wouldn't think that was the proper paper.

Mr. HOLTCAMP. Counsel for contestant desires to state that he has undertaken to make an objection to these questions in the record, but that counsel for contestee would not stop long enough to let the objection go on record, and so it is made here. We object on the ground that there is no requirement of the statute that the challenger shall present written credentials before being allowed to act as challenger at the polling places on election day.

Mr. WALSH. We will refer that matter to the statute, and as to any failure to allow the introduction of an objection, counsel for contestee has simply been following the method pursued by counsel for contestant along that line, which is a lie.

Mr. HOLTCAMP. I wish the record to state that counsel for contestant never has refused at any time to allow the gentleman to make any objection that he desires, as the record will show.

Mr. WALSH. I refer to a portion of the record taken at the city hall, where Mr. Kinsey, one of the attorneys for contestant absolutely refused to allow the introduction of an objection.

HARRY L. RAST, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. 3150 Washington avenue.

Q. Did you vote in this city on the 4th day of last November at the election held here?—A. Yes, sir.

Q. What ward and precinct, if you remember?—A. It was at 210 Channing avenue.

Q. Do you remember the ward and precinct?—A. I can't exactly say, but it was the same that Mr. Churchill voted in in the Twenty-second Ward.

Q. Will you state who you voted for for Congress for the short term?—A. I voted for Geo. Wagoner on the Republican ticket for Congress.

Q. Did you see any of the trouble there that Colonel Churchill has testified about?—A. I didn't see any trouble there during the time I was there, but I had a little trouble myself when I was there.

Q. What was the trouble?—A. Well, I came in there from my place of business to vote, and when I did vote, I was handed the papers to vote, and I voted the straight Republican ticket, and I handed it to the clerk, who wanted to see it and insisted on examining it before putting it in the box.

Q. Was there an attempt made to examine it?—A. Yes; he wanted to see it and then I insisted on putting it in the ballot box myself. Whoever received it said he would attend to it himself, and I waited there for a short while, and whether my ticket voting for Mr. Geo. Wagoner went in the ballot box I don't know. It didn't go in while I was there.

Q. Who had possession of this ticket?—A. I don't know the man personally.

Q. Where was he at the time?—A. He was sitting at the table.

Q. Near the ballot box?—A. Yes, sir; he was sitting on the south side of the table and the ballot box was near the other end of the table.

Cross-examination by Mr. WALSH:

Q. What was it you say that you did when you got your ballot? When you first got it what did you do? You got a package of ballots?—A. Yes, sir; I went in the box and arranged who I wanted to vote for, and I voted for Mr. Wagoner.

Q. Did you scratch or alter or erase or in any way make any change on your ballot?—A. No, sir. I voted the straight Republican ticket, because I had no friends on either ticket. I wasn't personally acquainted with any of those on the ticket.

Q. Did you make any alteration or check mark of any kind on the amendments? Did you vote on the amendments?—A. Well, I scratched the Democratic ticket and I voted the Republican ticket.

Q. Do you recall that there were some amendments to be voted on there?—A. You mean did I vote for any Democrats on the ticket?

Q. No; on the Republican ticket. You say you scratched the Democratic ticket?—A. Yes, sir.

Q. Did you put that in separately?—A. No; I separated the Republican ticket from the Democratic ticket.

Q. You tore off the Democratic ticket, did you?—A. And handed the Republican ticket to the man at the table, to vote for Mr. Wagoner.

Q. And you had scratched the Democratic ticket?—A. Yes, sir.

Q. Did you scratch all the other tickets, too?—A. No, sir.

Q. You just scratched the Democratic ticket?—A. I scratched all the tickets but the Republican ticket.

Q. That is what I asked you a minute ago. Then you handed the whole package to the man at the table?—A. No; I handed only the Republican ticket.

Q. What did you do with the balance?—A. I laid them down on the table. I separated the tickets when I handed it to him.

Q. Now, where was the Democratic ticket?—A. It was in the package that he gave me to vote on.

Q. What did you do with that? You say you scratched it?—A. I scratched the Democratic ticket; yes, sir. I wanted to vote for the Republican ticket.

Q. Then, do you know what ballot of yours was placed in the box?—A. I didn't see any go in the box.

Q. How long did you stop there?—A. I stopped there, I guess, not longer than fifteen minutes. It could not have been longer. I didn't look at my watch.

Q. What were you doing during the fifteen minutes' time?—A. I was at the door.

Q. Outside?—A. No, sir; inside.

Q. Waiting to get a ballot?—A. No, sir; there was some man ahead of me to get a ballot, and I had to wait till my turn came.

Q. Then, when you got yours, you took the packet and scratched a part of it?—A. No; I scratched them all except the Republican ticket. That is the one I voted for.

Q. Then you handed the Republican ballot and the Democratic ballot and the other ballots all to the man at the table?—A. Not all together; separately.

ROLLA WELLS, of lawful age, being produced, sworn, and examined on the part of the contestant deposeth and saith as follows:

Direct examination by Mr. RICHNEY:

Q. State your name in full?—A. Rolla Wells.

Q. Where do you reside?—A. No. 4228 Lindell.

Q. You are mayor of the city of St. Louis?—A. Yes, sir.

Q. You were elected at the April election of the year 1901, on the Democratic ticket?—A. Yes, sir.

Q. When did you come into possession of the office? When were you inducted into the office for mayor?—A. On the 8th of April of the same year. I was inaugurated on the 8th of April.

Q. Whom did you succeed as mayor?—A. Mr. Henry Ziegenhein.

Q. Your term of office was for four years?—A. Four years.

Q. When you came into the office did you come into possession of the records of the office and papers belonging to the office of mayor?—A. Well, I was supposed to. There was very few records in the office, so few that they were not worth considering or mentioning. There was practically no records in the office outside of the secretary's office, a few stub books.

Q. But outside of those records there were no records in your office?—A. No records. Of course there was some police court records there. They were records of the secretary's office, but in the mayor's office proper there was no records.

Cross-examination by Mr. ROWE:

Q. The Nesbit law was in force when you were elected mayor, was it not—what is commonly called the Nesbit election law?—A. Yes, sir.

Q. And the election was held under that law?—A. Yes, sir.

Q. You believe that you were honestly and fairly elected to that office at that time, do you not?—A. I certainly do.

(Signature waived.)

THOMAS RICHARDSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct-examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 2824 Olive.

Q. Did you vote on the 4th day of last November in this city?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. No, I do not.

Q. Where did you vote?—A. On Twenty-ninth, between Olive and Locust, next to the drug store.

Q. Do you mean in the rear of the drug store on Twenty-ninth street?—A. Yes, sir.

Q. The drug store faces on Olive street?—A. Yes, sir.

Q. Which side of the street, the west or east side of Twenty-ninth?—A. West side.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district, short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. Where were you registered from?—A. 2824 Olive.

Q. Your name is Thomas Richardson?—A. Yes, sir.

Q. What time did you go to vote?—A. I went to the polls about a quarter to 6 in the morning.

Q. How did you vote? What was the method that you used in giving your ballot?—A. I walked in, and the judges were all standing around and the policeman says, "You must go out till the judges get ready here for you," and it was 6 o'clock then, so about 10 minutes or a quarter past 6 one of the judges hadn't come yet, so one of the judges came up and stepped outside and asked one of the men outside would he come in and serve, and he said no, that he couldn't do that, and he says, "Well, we have to have one here before we serve," and finally they settled it one way or another, and one gentleman at the table handed me the ballots and I walked into the room and fixed my ballot and brought back my ballot and handed it to the gentleman at the table and he put it in the box.

Q. He put it in the box?—A. Yes, sir; I handed it to him, and I says, "Please put it in," and he says, "I am going to," and I says, "Let me see you put it in

there, please," and he says, "Well, don't be in a hurry," and he put it in and I says, "Good-by, gentlemen," and I jumped on a car and came on downtown.

Q. You saw your ticket go in the box?—A. I did.

Q. And you know it went in?—A. I do, because I stood there to see it go in.

Q. And from the time that you prepared your ballot until you gave it to the judge it never was in the hands of anyone else?—A. It was in the hands of the gentleman who stood at the ballot box and taken it himself.

Q. And dropped it in the box?—A. Yes.

Q. You saw the ballot from the time you tore it out and handed it to the man at the box?—A. Yes, sir; I will show you how this happened. I taken my ballot and I handed it to the gentleman there, and he says, "Number that ballot," and he says, "It don't need to be numbered," and an old gentleman says, "Yes, it do," and I says, "Yes, it do," and then the old gentleman numbered it himself, and then he referred to a little slip on the side of the wall and he says, "I will show you the rules if you want to find that out," and then I waited until they put my ballot in the box, and then went away.

Q. The ballot was numbered by the old man and placed in the box?—A. Yes.

Q. You saw the ballot all the time, and saw that it was not tampered with?—A. Yes, sir.

Q. And you are positive that that ballot went into that box just exactly as you voted it?—A. Yes. It was the first vote that went in in the morning.

M. L. TURNER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 2608 Locust.

Q. Did you vote at the election held in this city on the 4th day of last November?

A. I did.

Q. Do you know the ward and precinct?—A. Precinct 5. I don't know the exact location; it has been so long ago.

Q. What ward?—A. Twenty-second.

Q. Will you state who you voted for for Congress in the Twelfth Congressional district, short term?—A. Voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. When you secured your ballot what did you do?—A. Went to the booth and tore out the ticket that I wanted to vote and went back with it, and they put it in the box.

Q. You saw it put in the box?—A. Yes, sir.

Q. You know it went into the box?—A. Yes, sir; I am positive of that.

Q. No question about it?—A. No, sir.

Q. Do you know whether anybody handled that ballot from the time that you prepared it until you saw it deposited in the box?—A. No, sir; there did not.

Q. Nobody altered it or changed it in anyway?—A. No, sir.

Q. Did you strike off or scratch off any names on your ballot or make any alterations on it?—A. No, sir; scratched off a few of the amendments.

Q. How did you scratch them off? Did you run across through what you did not want to vote for?—A. Yes, sir.

Q. Do you remember how you voted on the last amendment?—A. No, sir; it has been so long I have forgotten.

Q. Do you remember whether you struck across through the bottom of the last amendment or not?—A. No, sir; I am not sure.

Q. Do you know where the Congressional candidates were on the ballot?—A. That has slipped my memory.

Q. How many Congressional candidates were on the ballot?—A. I couldn't say exactly.

Q. You don't know whether you voted for 2, or 3, or 4?—A. No, indeed. I have other business to attend to than to follow that up.

Q. You don't pay much attention at all?—A. Well, I do. I voted to satisfy myself, I know.

S. FOX, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 2639 Pine street.

Q. Did you vote in this city on the 4th day of last November?—A. Yes, sir; I was at the polls.

Q. Did you vote?—A. Yes, sir; I think I voted.

Q. Do you remember the ward and precinct?—A. If my memory serves me right, I think it was the Twenty-second Ward. The precinct is in the same block that I live in—between Pine and Olive streets—right on the corner of the alley. The polling place is there.

Q. On what cross street?—A. Facing Jefferson avenue. I live on Pine street; it is between Beaumont and Pine.

Q. Who did you vote for for Congress for the short term?—A. For Mr. Wagoner, the Republican candidate, and I didn't do anything to my ticket. I only just taken the ticket out and voted.

Q. Didn't scratch it at all?—A. No, sir.

Cross-examination by Mr. WALSH:

Q. What is your name?—A. Squire Fox.

Q. You are a colored man, are you not?—A. Well, you might pronounce me colored. I haven't been here quite long enough to be exactly colored.

Q. Do you expect to accumulate in the future that name or that color?—A. I trust I will, as soon as I be here long enough.

Q. How long have you been here?—A. Only since 1861; that is all.

Q. Were you born in 1861?—A. No; I guess I was born ahead of 1861.

Q. You guess you were?—A. Yes; I remember when Buchanan went out of office.

Q. Do you read and write?—A. Well, I was deprived of that. I can write a little bit; but my friends were so good to me they didn't want to give me an education, only just what I could pick up.

Q. Did you pick up an education along the line of reading?—A. Oh, I have got so I can read and write my own name a little.

Q. That is about all you can do?—A. That is all; try to be a good citizen.

Q. In getting your ballot how did you proceed on election day?—A. Oh, I got it. They had a bunch of tickets, and they presented me with a packet, and I taken it back and I shows the Republican ticket.

Q. How did you choose it?—A. I looked at the head of the ticket. I could read "Democratic" and I could read "Republican." Of course I couldn't do nothing but vote the Republican ticket, and I just took the Republican ticket off and handed it to the man at the box.

Q. What is the heading on this sheet here?—A. "List of registration votes, Twenty-second Ward, fifth precinct."

Q. That is what it says on there?—A. Yes; that is the way I read it. I don't know whether I am exactly right or not.

Q. Is your eyesight good? It is a good-sized print.—A. It is failing me now. I am quite aged.

Q. What do you say it is?—A. "List of registered voters, Twenty-second Ward, fifth precinct."

Q. What is this over here?—A. I can't see that good enough without I have my specks.

Q. Here is a glass [handing magnifying glass].

WITNESS (reading). "October, 1902."

Q. You saw your ballot deposited in the box?—A. I handed it to the gentleman, and I walked right out then. That was in the morning. I don't know whether he put it in. I couldn't swear that he did put it in. I couldn't tell you that.

Q. Where was the gentleman standing at the time?—A. Standing near the end of the table, like they usually stand there.

Q. You made no marks nor changes nor anything on your ballot?—A. No, sir.

Q. Did you hand it to anybody to make any mark or changes for you?—A. No, sir; I did not.

Q. Did anybody handle your ticket from the time you tore it out of the packet until you gave it to the man at the box?—A. No; only the gentleman I handed it to there, who was supposed to put all the ballots in the box, and I handed it to him and he held it in his hand. Whether he put it down in the box I couldn't tell you whether he did or not.

Q. Was anybody else present at the time?—A. Yes; there was several in there. It was between 6 and 7 o'clock in the morning; I guess about half past 6. I had to go on down to my work.

Q. Did you see Thomas Richardson there?—A. Well, I am not acquainted with him.

Q. Was there a colored man there that morning?—A. The man who just taken the seat here?

Q. Yes.—A. I am not acquainted with him. There was one or two colored men, and I think that man was just in ahead of me.

Q. It was about half past 6?—A. About half past 6 to 7; early in the morning.

A. W. IRVING, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. I live at 2633 Pine. But before you start to call my name, it is not Irving. I took it for granted when I got the subpoena that you meant Ewing. If you mean Ewing, my name on the register is Ewing.

Q. Did you vote in this city on the 4th of last November?—A. I did.

Q. Do you know the ward and precinct?—A. It is the Twenty-second Ward, on Jefferson avenue between Olive and Pine.

Q. Do you know the number of the polling place?—A. No, sir; I don't know the number of the house. It is right on the corner of the alley there, near that little laundry.

Q. Will you state who you voted for for Congress for the short term?—A. I voted for C. R. Wagener for Congress.

Q. George Wagener?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. How did you vote? How did you go about it?—A. I received the bunch of ballots as the judges handed them to me.

Q. Is your name Ewing or Irving?—A. Ewing.

Q. So that the transcript that has been made in this case by contestant, if it says "Irving," that is wrong, is it?—A. That is wrong; but I took it for granted, as it came to the address and had the initials, I just thought that might be my name.

Q. How did you go about voting when you went into the polls? What did you do?—A. The gentleman handed me a bunch of ballots, several together, and I went into the box and prepared my ballot from the Republican ballot, and I came back and folded it as usual under the direction and gave it to the proper party there, the judge or the clerk.

Q. Did you see your ballot deposited?—A. No; I didn't look to see.

Q. Were there many in there when you were in there?—A. Not many. I don't believe there was anybody else voting but myself.

Q. You don't know whether it was deposited or not?—A. No, sir; I couldn't swear to that, because I didn't wait.

Q. Did you make any alterations or changes in your ballot?—A. Well, I scratched a few names. I don't remember just now what names there was. I never put in any names. I scratched them and I made alterations. I voted on some of the amendments and passed my pencil through some of them.

Q. You did pass your pencil through some of the names on the Republican ballot?—A. Yes, sir.

Q. You don't remember who they were?—A. No, sir.

WALTER CLARK, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 2820 Olive.

Q. Did you vote at the election held on the 4th day of last November in this city?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Seventh precinct of the Twenty-second Ward, I think.

Q. Where was it?—A. On Twenty-eighth and Olive; right back of the drug store on Twenty-eighth.

Q. Who did you vote for for Congress, short term?—A. George C. Wagener.

Cross-examination by Mr. WALSH:

Q. Are you a brother of Crittenden Clark, the attorney?—A. Yes, sir.

Q. And you voted for George C. R. Wagener?—A. Yes, sir.

Q. Your brother Crittenden is quite a zealous Democrat, isn't he?—A. I don't know whether he is a Democrat or not or what he is.

Q. You live with him?—A. He lives upstairs, and I live downstairs.

Q. Can you read and write?—A. Yes, sir.

Q. How old are you?—A. Thirty-seven years old.

Q. What do you do?—A. Working in a coal yard on Twenty-eighth, between Olive and Locust.

Q. Who for?—A. W. J. N. Tindall.

Q. How did you go about voting; what was the method used?—A. I got my ballots and went in the booth, looked them over, and tore off the Republican ballot and took it; took the Republican ticket and handed it to the man standing at the ballot box, and he took it and looked at it to see how it looked; opened it and looked at it and put it in there.

Q. But he took it and put it in?—A. Yes.

Q. You saw him put it in the box?—A. Yes, sir.

Q. And you know that he did that?—A. Yes; he looked at it before he put it in.

Q. Did he make any marks on it?—A. No, sir; just opened and looked at it.

Q. Made no changes?—A. No.

Q. Do you know whether he opened the ballot which you handed him to vote or the package that you returned to him?—A. No; he opened the one that I handed to vote, to put in the box, and he told me to mark some names on it, and he looked to see if I did.

Q. He told you to mark some names?—A. Yes, sir.

Q. Did you do it?—A. I did not. I voted the straight Republican ticket.

Q. Who was the man?—A. I don't know who he was. He was a man standing at the table at the ballot box.

Q. Do you know whether he was a Republican or a Democrat?—A. I do not.

By Mr. HOLTCAMP:

Q. Who did he tell you to mark?—A. Told me to mark out Sim Harris and vote for Charlie Day, at the saloon.

Q. Anybody else?—A. He said to mark out some other name. I don't know who it was.

By Mr. WALSH:

Q. He told you to mark out Simeon Harris and vote for Charlie Day?—A. Yes, sir.

Q. That is the only name he told you?—A. No; he told me to mark some other name. I don't know what it was.

Q. That is the only election that you voted at?—A. The only election I voted at.

Q. That was last fall?—A. Yes, sir.

Q. And that is the only election you voted at last fall?—A. Why, certainly.

ADOLPH HUTHER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 2945 Olive.

Q. Did you vote at the election held on the 4th of November last?—A. I did.

Q. Where did you vote?—A. In the Twenty-second Ward, seventh precinct.

Q. Will you state whom you voted for for Congress in the Twelfth Congressional district, short term?—A. I voted the Republican ticket straight.

Q. You didn't scratch it at all?

Cross-examination by Mr. WALSH:

Q. What was the method that you used about getting your ballot?—A. The tickets were handed to me and I selected the Republican ticket and folded it and presented it to the judge.

Q. Did you make any alterations or changes or erasures on your ballot?—A. I did not.

Q. You voted without making any scratches?—A. I didn't vote on the charter amendments. I did on some.

Q. So you did make a few scratches on the ballot. Do you know which ones you scratched or voted on?—A. I don't remember, just now.

Q. Do you know what place on the ticket the Congressional candidates names were placed?—A. I forget now which place.

Q. Do you remember who were the Congressional candidates on the Republican ticket?—A. I knew Mr. Wagoner was for Congress. I didn't pay much attention to the others.

Q. How many other Congressional candidates were there? Three, four, or five?—A. I didn't take notice.

Q. Do you know whether there were any other Congressional candidates besides Wagoner?—A. I guess there has been, but I didn't take notice.

Q. So, if there was any other candidate on that ticket you don't know whether you voted for him or not?—A. Well, I voted the straight ticket.

Q. What makes you so positive that you voted for Wagoner?—A. Because he was on the ticket. Wasn't he on the Republican ticket?

Q. I don't know; I am asking you why you are so positive that you voted for Wagoner. Would you mind answering the question?—A. Well, I thought the ticket as printed there would be handed in and be voted upon.

Q. What I am asking is, do you know whether Geo. Wagoner was on that ticket or not?—A. He was on that ticket.

Q. Do you know that he was?—A. Yes, sir.

Q. Did you see his name?—A. I think I seen it.

Q. Would your thoughts be more positive, so as to say that you did see his name?—A. I think I saw it.

Q. That is as far as you will go—you think you saw Mr. Wagoner's name?—A. Yes, sir.

Q. You think you voted for Wagoner? Now, do you think you voted for anybody else for Congress?—A. I did not.

Q. Do you say you did not or that you think you did not?—A. I did not.

Q. You didn't vote for anybody else?—A. No, sir.

Q. Positive of that?—A. Positive of that.

Q. That you only voted for George Wagoner for Congress?—A. Yes, sir.

JOHN A. SYDNOR, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 705 North Sixteenth street.

Q. Did you vote at the last election?—A. Yes, sir.

Q. Where did you vote?—A. I voted on Seventeenth, between Franklin avenue and Morgan.

Q. Do you know the ward and precinct?—A. I think it was the Fifteenth Ward.

Q. You don't know the precinct?—A. No, sir.

Q. Will you state who you voted for for Congress for the short term?—A. Yes; I voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. What is your name?—A. Sydnor, James A.

Q. It is not Snyder?—A. No, sir.

Q. Do you know what precinct that was?—A. I don't know exactly the precinct; I think it was the Fifteenth Ward.

Q. How long have you lived there?—A. I have lived there about the last six or seven months; I have lived there since the 8th day of last January a year ago.

Q. The 8th day of January, 1902?—A. Yes, sir.

Q. What is your first name?—A. James A.

Q. Did you register from 705 North Sixteenth street?—A. Yes, sir.

Q. What name did you sign to the registration books?—A. I registered at the city hall.

Q. What name did you sign?—A. I signed James A. Sydnor.

Q. You didn't sign James H. Snyder?—A. No, sir; signed James A. Sydnor.

Q. Is there any James H. Snyder living there?—A. No, sir.

Q. On election day did you vote in the name of Snyder or Sydnor?—A. Sydnor.

Q. So if the transcript of the contestant's record shows that you voted under the name of James A. Snyder, it is not correct?—A. No, sir; it is not correct.

Q. Do you know that you voted under the name of James A. Sydnor?—A. Yes, sir.

Q. You feel positive on that point?—A. Yes, sir.

Q. When you voted what did you do?—A. I walked into the office about 7 o'clock in the morning, and I asked them to give me a ballot and I took it in the booth and took out the ballot that I wanted to vote and I voted and rolled it up and handed it to the man, both packages, and asked him to put it in the box, and I turned around and walked out.

Q. You handed it to the man, both packages, and he put them in the box?—A. Yes, sir.

Q. You saw him put them in the box?—A. Yes, sir.

Q. You know he put them in the box?—A. Yes, sir.

A. R. WEST, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. No. 724 North Fifteenth street.

Q. Did you ever live at 719 North Sixteenth?—A. Yes, sir.

Q. Did you vote at the election held in this city on the 4th day of last November?—A. Yes, sir.

Q. Where did you vote? Do you know the ward and precinct?—A. Fifteenth Ward. I disremember the precinct, but it was between Thirteenth and Fourteenth, on Franklin.

Q. Will you state who you voted for for Congress, short term?—A. I voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. What ballot did you vote?—A. The Republican ballot.

Q. What is your name?—A. A. R. West.

Q. Where were you living at that time?—A. 724A Fifteenth street.

Q. Were you registered from that number?—A. Yes, sir.

Q. When were you registered from there?—A. I registered last year. I have registered for the last three years from that number, 724 North Fifteenth.

Q. Have you ever registered from 719 North Sixteenth?—A. Yes, sir.

Q. How long ago?—A. That has been something over three years ago.

Q. And you haven't lived at 719 North Sixteenth for three years?—A. It is three years to-morrow.

Q. So you are not the A. R. West, if there is any living at 719 North Sixteenth?—A. I am the A. R. West that did live there, and no other West has lived there for the last five years I know, because I know the man there that is renting that house, and for the last fifteen years we have been associating and negotiating back and forward together, and I know who he has got there.

Q. What is his name?—A. Hunter.

Q. What is his business?—A. Running a rooming house. He is a plasterer by trade.

Q. What is your business?—A. Running a rooming house at 724 North Fifteenth and 722 North Fifteenth, both those places.

Q. And if there is an H. R. West living at that address do you know whether you know him or not?—A. H. R. West I don't know.

Q. Do you know the names of all the occupants of that house?—A. Generally I do. If they stay there anything like two or three weeks I do, because I am there every week at the place.

Q. Do you know all that are living there now?—A. No, sir; I do not.

Q. Do you know all that were living there on the 4th of November, 1902?—A. I can't remember.

Q. And yet you do know all that live there?—A. As a rule, when they stay there as long as three or four weeks I know them.

Q. Did you know anybody living there three or four weeks on the 4th of November?—A. I know Charlie Walker, who was living there.

Q. Who else?—A. There was a young man living there at that time named Heinz. He roomed there at the time.

Q. Who else?—A. I don't know. I just couldn't tell.

Q. How many were living there at that time?—A. I don't know that.

Q. So, if there were 15 or 20 people living there you don't know who they were?—A. No; I can't just commit their names to memory, but as a rule I look over the books, and sometimes I ask the question, "Who have you got?" or "What have you got?" whether an empty room, or one who has just come in, and I ask who it is, and I look over the books and see.

Q. Do you know whether you did that about the 4th day of November, 1902?—A. No; I am not positive that I did.

Q. So you don't know who was living there about that time?—A. No, sir.

JOHN ANDERSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. KINSEY:

Q. Where do you live?—A. I live at 717 Sixteenth street.

Q. Where did you live on the 4th of November last?—A. I lived right there.

Q. How long have you lived there?—A. It will soon be four years; in August.

Q. Were you registered as a voter?—A. I was never registered, and I did not vote.

Q. So you didn't vote at the election held on the 4th of November, 1902?—A. No, sir; I went to register and the office was closed, and they said they wouldn't open any more.

Q. Did you ever register from that number?—A. No, sir; I registered from 712 North High at the time of the election in 1896.

Q. Was that the last time you registered?—A. That was the last time. I voted that year and I haven't voted since.

Q. Did you live at 717 North Sixteenth street in 1896?—A. No, sir; I lived at 712. The polling place was right under my house. I lived upstairs in Mr. Albert's building.

Q. Is there any other person by the name of John Anderson who lives at 717 North Sixteenth?—A. My boy, but he is not old enough to vote.

Q. How old is the boy?—A. He will be 18 years old the 8th of next June, but he was not here. He came here last year, but he ain't old enough to vote.

Q. Where was he on the 4th of November, last year?—A. I think he was around the house there.

Q. Did you attempt to vote at the election?—A. No, sir; I didn't go to the polling place. The polling place was right below the grocery and I went by there on the far side of the street, but I didn't stop, because they seemed like fixing for a fight, and I went home and stayed there.

Q. Do you know whether this son of yours ever attempted to register?—A. Not as I know of; he never told me he had registered.

Q. Do you know whether he voted or attempted to vote at the last election?—A. No, sir; I don't think he did—not to my knowing he did not.

Cross-examination by Mr. WALSH:

Q. You don't know what your son John Anderson did?—A. No, sir. At that time I believe he was working at the factory.

Q. You don't know what he did, or whether he voted or not?—A. No, sir; I could not say he did not; I don't know what he did. I didn't tell him to; I don't know what somebody else told him.

Q. He is a pretty well grown young man?—A. Yes; pretty near as tall as I am. He works up by Dr. Hoke on Franklin avenue.

Q. He was living there before the 4th day of November, and before the 4th of October?—A. Yes, sir.

Mr. WALSH. We again desire to enter our objection to the introduction of evidence along this line on the ground that it is evidence in chief and not in rebuttal, and does not grow out of any evidence introduced by the contestee.

At this point I adjourn the further taking of said deposition until 2 o'clock in the afternoon of this day.

2 O'CLOCK P. M.

Hearing resumed.

JACOB FOX, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1027 Morgan street.

Q. Did you vote in this city on the 4th of November last?—A. Yes.

Q. What ward and precinct?—A. Tenth Ward, between Morgan and Franklin avenue. I don't know the precinct.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted for the Democratic ticket—the whole Democratic ticket. Well, I did scratch it.

Q. Whom did you vote for for Congress?—A. For Butler.

Cross-examination declined.

CHRIST. BALKE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you reside?—A. 210 Olive.

Q. Did you vote at the election held November 4 last?—A. Yes, sir.

Q. What ward and precinct?—A. Fourth Ward, first precinct.

Q. Will you state for whom you voted for Congress for the short term?—A. Voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. Is your name Christopher Balke?—A. Yes, sir.

Q. When did you vote?—A. In the forenoon from 10 to 12; I don't know exactly.

Q. How did you vote? What was the method?—A. I went in and asked the judges for a package of ballots, went back to the booth and scratched some; gave it back to the judge; he put it in the box.

Q. You saw him put it in the box?—A. Yes, sir.

Q. Do you mind saying what you scratched?—A. I wouldn't say that.

Q. Did you vote on the constitutional amendments?—A. Yes; I believe I voted on all.

Q. What was your method in voting on them?—A. Scratched the "No" out; drew a line through the "No;" struck out all that was above the "No" with a cross mark.

Q. You know between the time you voted and the time you saw the ballot put in the box nobody touched it?—A. Yes.

Q. No tampering with it?—A. No, sir.

ANSE C. MADSON, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Did you vote on the 4th of last November?—A. Yes, sir.

Q. What ward and precinct?—A. Fourth Ward, twelfth precinct.

Q. Where do you live?—A. 210 Olive. I voted on Third street near Olive; west side of Third.

Q. Will you state for whom you voted for Congress for the short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. How many people live at that place?—A. I can't say, sir; there is a good many.

Q. How big a house is it?—A. Five-story house; 3 floors; people living on them. Five stories besides the basement.

Q. There are two or three floors used by printers, aren't there? Thallman Printing Company, Printer's Ink Company?—A. They have some of it up there; I don't think they have two floors.

Q. How long have you lived there?—A. About five years.

Q. How many rooms on each floor?—A. I don't know; I am just renting a room; I am there by myself.

Q. Do you know whether there are 20 or 25 people there?—A. Yes; more than that; they occupy about 3 floors.

Q. Do you know the names of the people who live there?—A. Only a few; I know Mr. Balke, who was in here, and Mr. Somerville, and Leahy.

Q. Who else?—A. I don't know the names of the others; I don't pay much attention to them.

Q. Do you know Antonio Bacci?—A. I may; not by name.

Q. J. W. Bowen?—A. Not by name.

Q. Frank W. Henzel?—A. I don't know; there's a good many in there.

Q. Frederick Hartman?—A. Yes.

Q. John Hoppington?—A. No.

Q. H. W. Leonard?—A. I guess he is not there now.

Q. Nicholas B. Lacke?—A. Yes, sir.

Q. W. F. Long?—A. No.

Q. Edward Muslte?—A. I am not sure about that name.

Q. Jonas P. Nordberg?—A. He is the janitor.

Q. C. H. Quinn?—A. No.

Q. J. T. Quinn?—A. No.

Q. Harry A. Webnon?—A. No.

Q. Edward Smith?—A. No.

Q. S. A. Sudhoff?—A. Yes, sir.

Q. A. J. Somerville?—A. Yes, sir.

Q. Louis Smidt?—A. Yes, sir.

Q. Peter Sorrenson?—A. Yes, sir.

Q. Jos. F. Stewart?—A. No.

Q. Chas. H. Yaeger, sr.?—A. I know a man named Yaeger.

Q. Are you at home during the day?—A. Not all the time.

Q. Do you know whether any of these parties are at home during the hours of mail?—A. Sometimes they are and sometimes not.

Q. Who is their mail delivered to if they are not there?—A. The janitor, Nordberg.

Q. Who do you rent from?—A. Nordberg.

Q. Furnished or unfurnished?—A. Unfurnished; the men furnish the rooms.

Q. How long have you voted in that precinct?—A. Three or four years.

Q. When you went into the polls you got a package of ballots?—A. Yes, sir.

Q. What did you do then?—A. Found the ticket; gave the balance of them to the man tending the box. Scratched a few of them. I didn't scratch any Congressional candidate.

Q. How many Congressional candidates were there?—A. Wagoner and Reynolds.

Q. Is that all?—A. All on the Republican ticket.

Q. Sure of that?—A. Pretty sure.

Q. Did you make any changes in the ticket?—A. A few. I didn't pay attention to which ones; some of the smaller offices.

Q. Did you scratch the amendments?—A. Yes; scratched the "No" to them all.

Q. Where was the "No" to the last amendment?—A. Lower down on the amendments.

Q. Lower than the "Yes?"—A. Yes.

Q. You scratched the lower amendment?—A. Yes, sir.

Q. Where were the Congressional candidates with reference to the amendments?—A. I can't remember now.

Q. Did you make any scratches below the constitutional amendments?—A. No, sir; I did not. I didn't scratch only the "Noes" and a couple of candidates. The candidates were on the upper part of the ticket.

J. W. KERR, of lawful age, being produced, sworn, and examined on behalf of the contestee, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 3026 Lucas avenue.

Q. Did you vote at the election held November 4, 1902?—A. I did.

Q. Will you state whom you voted for for Congress for the short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. What is your business?—A. Real estate.

Q. Where are you located?—A. 110 North Ninth.

Q. What ward and precinct did you vote in?—A. Twenty-second Ward, ninth precinct.

Q. What time did you vote?—A. About 7 in the morning.

Q. Did you make any changes in your ballot of any description?—A. Only excepting the amendments. Struck out the "Yes" or "No" where I wished to make the change. Drew a cross mark through the "Yes" or "No."

Q. Do you know whether you crossed entirely through the amendment in the shape of an X; something of that description?—A. I may have done it that way.

Q. Do you know how you voted on the last of those amendments?—A. I was more particular about the school amendment. I remember voting "Yes" on that; that is about the only thing I am certain about. As to the Congressional candidates I made no change.

Q. Did you see your ballot deposited in the box?—A. Yes, sir.

Q. Was it deposited without any change or alteration, as you made it out?—A. Yes, sir.

Q. Did you know any of the judges or clerks at the polling place?—A. No, sir.

Q. If it should be stated to you that the statement with reference to the way that your ballot was cast was returned after a hurried count and equally hurried transcribing of that count, would you be more willing to attribute an error to a clerical mistake in this investigation or to some fraud or attempted fraud on the part of the judges and clerks in the polling place?—A. I don't know how I would attribute it. I supposed I fixed the ticket correctly and deposited it correctly; I don't know where it landed.

Q. Now, in view of the fact that the investigation, as conducted by the contestant, was by having a number of individuals at one time call off the numbers on the ballots, the names and addresses on the poll books, which were transcribed at that time by typewriters, with a machine which does not allow the operator to see the number or the name or anything else that is written, unless some action is taken, as in the case of the Remington or Smith Premier machines, are you more willing to believe that a clerical error as to numbers and the general record, where the clerk or the person couldn't see what they were writing and must depend entirely on their skill in manipulating the machine—are you more willing to believe that this apparent or credited change in the ballot is due to fraud on the part of the judges and clerks or to a clerical error or mistake made in transcribing?—A. I didn't know there was any change made in my ballot. I have been asked to come here and testify as to how I voted. I know how I voted. Until two or three days ago I hadn't heard of any change made in my ballot at all. Some gentleman came to my house one evening and asked me how I had voted at the last election. I said I had voted the straight Republican ticket.

Q. Do you know who the gentleman was?—A. No, sir; I don't know who it was.

He has a dark mustache. No; I don't remember. The gentleman who served me with the papers, I saw him here to-day. I don't remember who it was that made the inquiry at the house. I told him I voted for Wagoner, and he says, "It doesn't show so; that is the reason I came and asked you." I was going out of the house at the time. I think they said something about being crossed out or something of that sort.

Q. That the record of the contestant showed the name had been stricken out or something of the kind?—A. Yes, sir.

Q. As a real estate man you have had considerable experience in the matter of running up accounts, fixing the dimensions of lands, and leases, etc.?—A. Yes, sir.

Q. You have clerks to perform that class of service for you. Isn't an error in the matter of figures a common thing, even in connection with real estate matters, where the dimensions of land is one of the most important things? Even when matter is transcribed in pen and ink and everything plainly before the copyist you frequently find errors?—A. Yes, sir.

Q. It is true also of abstracts that are certified to by one certain institution supposed to control the entire business, errors of that kind creep into real estate abstracts?—A. Yes, sir.

By Mr. HOLT CAMP:

Q. You were asked whether you would assume that an error might have been made by manipulating the typewriter. You don't assume to say whether that change in your ballot, if there was a change, was done through manipulation of a typewriter after the ballots were read off by a Democratic clerk in the election commissioners' office or by the Democratic judges at the polls when the ballots were counted, do you? You don't assume anything?—A. Don't assume anything; I know nothing about my ballot after I gave it to the judge.

W. C. BADER, of lawful age, being produced, sworn, and examined on behalf of the contestee, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. Where do you live?—A. 3300 Washington avenue.

Q. Did you vote at the election held November 4, 1902?—A. Yes, sir.

Q. What ward and precinct?—A. Ninth precinct, Twenty-second Ward.

Q. Will you state for whom you voted for Congress for the short term in the Twelfth district?—A. Voted for Wagoner.

Cross-examination by My WALSH:

Q. About what time did you vote?—A. About 9 o'clock.

Q. What was your method in voting?—A. Went into the polling place, 310 Channing avenue, and was handed a bunch of ballots. I took out the Republican ticket and scratched one name on it; voted for James Bligh on the Democratic ticket; scratched some of the amendments; scratched the "No" or "Yes," as the case may be; handed it to the judge and saw it deposited in the box.

Q. James Bligh was Democratic candidate for constable in your district?—A. Yes, sir.

Q. What was your method in voting the amendments?—A. Voted some "Yes" and some "No."

Q. What place on the ballot did the last constitutional amendment—the "No"—occupy?—A. The end of the ballot; I guess about the last word on there; I don't know. I don't remember where the amendment was, whether it was on the upper or lower end.

Q. Do you know what position the Congressional candidates occupied on the ballot?—A. Near the end of all the candidates. The amendments appeared last, I think; I didn't notice it particularly.

CHARLES MODER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLT CAMP:

Q. Where do you live?—A. 3307 Washington avenue.

Q. Did you vote in this city on the 4th of last November; and if so, do you remember what ward and precinct?—A. Twenty-second Ward, ninth precinct; yes, sir.

Q. Will you state for whom you voted for Congress in the Twelfth Congressional district for the short term?—A. Wagoner.

Q. Are you going out of the city?—A. Yes, sir. I will be back about Thursday, I expect.

Mr. WALSH. I desire to enter the same objection to all of this evidence that was originally entered; that this evidence is not in rebuttal, and does not grow out of any examination by contestee.

We object to this evidence on the ground that this is not in conformity with section 107 of the Revised Statutes of the United States, page 8, of the Rules of Election Committee No. 2 of the Fifty-seventh Congress, in that this contestee has received no five days' notice of rebuttal nor any notice of rebuttal, and that under these rules the direct examination was concluded after the fifteen days which the contestant especially stated was sufficient for the purpose of securing all the evidence necessary in the case; and that all the evidence that is now being put in is evidence in chief and not in rebuttal, and that the only reason that cross-examination is being indulged in by attorney for contestee is for the purpose of trying to establish that there is absolutely nothing, even in the direct evidence.

Cross-examination by Mr. WALSH:

Q. What time on election day was it when you voted, about?—A. About 8 o'clock in the morning.

Q. What was the method of procedure which you adopted?—A. The ballot was handed to me by the party at the table, and I took it into a booth and selected the ticket I wished to vote, folded it up, and handed it to the judge and he placed it in the box.

Q. You know that between the time you prepared your ballot and the disappearance of the ballot in the box it was absolutely not tampered with by anyone else?—A. It was not tampered with by anyone else.

Q. Did you know any of the judges and clerks in the polling place?—A. No, sir; I don't think I did.

NOTE.—By agreement of parties, the signature of the witness to the above deposition is waived.

J. BEETLE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 3207 Olive.

Q. Did you vote in this city at the election held on the 4th of last November?—

A. Yes, sir; I voted in the ninth precinct of the Twenty-second Ward.

Q. Will you state for whom you voted for Congress in the Twelfth Congressional district for the short term?—A. C. R. Wagoner.

Cross-examination by Mr. WALSH:

Q. Are you related to Mr. H. A. Beedle?—A. Not that I know of. I am acquainted with him.

Q. Weren't you subpoenaed to appear at the Temple Building on the part of Mr. Butler?—A. Yes, sir; I appeared there.

Q. Were you one of the signers of the Wagoner petition?—A. Yes, sir.

Q. What method did you use in securing your ballot?—A. Went into the polling place and they gave me a ballot and I took it into my booth and made out my ticket. Afterwards I gave it to the judge and he put it in the box.

Q. You saw that?—A. Yes, sir.

Q. So that you know no one tampered with the ballot or interfered with it in any way up to the time it disappeared in the box?—A. Yes, sir.

Q. Did you vote on the charter amendments?—A. Yes, sir.

Q. When you gave in your name to the polling clerks, you gave it as J. Beedle, did you?—A. James Beetle.

Q. Is there any J. Beetle living at 3207 Olive street besides yourself?—A. No, sir.

R. C. GRIER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 3126 Lucas avenue.

Q. Did you vote in this city on November 4 last?—A. Yes, sir.

Q. Where did you vote?—A. Twenty-second Ward, ninth precinct.

Q. Will you state the man you voted for for Congress in the Twelfth Congressional district?—A. George C. R. Wagoner.

Cross-examination by Mr. WALSH:

Q. What is your business?—A. Attorney at law.

Q. What time did you vote?—A. In the morning about 8 or 9 o'clock.

Q. You saw your ballot put in the box, did you?—A. Yes, sir.

Q. Was your voting done in a hurried manner or deliberate?—A. I was deliberate about it.

Q. Did you strike off any of the candidates' names from the ballot or make any alterations?—A. Yes, sir; I struck off three.

Q. Did you vote all the amendments?—A. I voted all of them; some for and some against.

Q. Do you remember whether you struck off the last amendment?—A. I don't remember how I voted for that. I don't recollect the method in which I voted the amendments.

Q. Are you positive you made no change with reference to the Congressmen?—A. I am.

Q. Did you know any of the judges and clerks?—A. Yes, sir; there was one man; I think his name was McCabe; he was an employee of Butler's horseshoeing shop; a horseshoer; and there was another one named Anderson and one of the Republicans I think was named Thompson.

Q. You have no reason to believe that any of those men were dishonest?—A. I have not.

Q. You have had some experience in the matter of clerical work, haven't you, during your practice, drawing up petitions and various papers?—A. Yes, sir.

Q. You have discovered even in drawing up petitions personally where you use a pen, if you are drafting a petition and using a pen you sometimes make a clerical error that is of some considerable importance in the arrangement of your petition? You know it does creep in?—A. It is possible.

Q. And the more hurried work you have to do the more frequent the errors are of that character, aren't they?—A. Well, I won't say that.

Q. Would you, in drafting a petition or a legal document of any description take the document to your typewriter and accept the return of the typewriter without reading or comparing it?—A. Not often.

Q. Did you ever?—A. No, sir; I think not.

Q. For instance, if you were to dictate to your stenographer a list of numbers and names such as appear on the sheet I now show you, would you accept the stenographer's statement without comparison or rereading those numbers and names?—A. That is a matter of opinion that you want from me, and I don't propose to give it to you.

Q. I will state to you that this page of figures with the names appearing on there were dictated to a typewriter whose work was done on what is called an invisible writing machine, a Remington or Smith Premier. Those numbers were dictated hurriedly for the purpose of securing a hurried transcript. Do you accept that as being a correct transcript of your vote and the number of your ballot?—A. That is not for me to say.

(Objected to on the ground, first, that the paper that the attorney for contestant has shown the witness has not been identified and is not part of the record; in the second place, that the witness is not competent to give an opinion or to accept or reject the work of anyone else; in the third place, until affirmative proof is shown that the work of the stenographers, as attorney for contestee states, is incorrect, the record must be taken as correct.)

Mr. WALSH. Well, do you admit that this is a copy of the record?

Mr. HOLTCAMP. No; I don't know what you have there at all.

Mr. WALSH. I will call attention to the fact that this is the same matter concerning which the witness, John B. Owens, is now testifying in one of the rooms directly connected with this under the same notice. This is a carbon copy of the record and the page I have shown to the witness, Grier, is page 120 of the transcript, taken at the city hall on the 14th day of November, 1902, at which place William M. Kinsey appeared for contestant and A. M. Frumberg for contestee.

Mr. HOLTCAMP. I demand that the attorney for contestee get on the witness stand and swear to that being a copy, for he admits himself that he was not present when that copy was made.

Mr. WALSH. I am accepting this as the same copy that Mr. John B. Owen is testifying to at the same time, with no other proof. In fact, the carbon copy is not being produced by Mr. John B. Owen, but I am producing what is known by the attorney on the other side to be a copy of this record.

H. R. TODD, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 3126 Lucas avenue.

Q. Did you vote in this city at the election held on the 4th of last November?—A. Yes, sir; I voted in the Twenty-second Ward, ninth precinct.

Q. Will you state for whom you voted for Congress for the short term in the Twelfth Congressional district?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. What time did you vote?—A. Between 8 and 9 o'clock in the morning.

Q. What method did you use in voting?—A. Took the ballots as given to me by some of the judges there, proceeded to the booth, tore off my ballot, and returned the package to the proper party. I just struck off two names.

C. H. SEMPLE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Did you vote in this city on election day last?—A. I did.

Q. What ward and precinct?—A. I never did know the number of the precinct; Twenty-second Ward, just north of Olive, on Channing.

Q. Will you state for whom you voted for Congress in the Twelfth Congressional district for the short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

Q. You went into the polling place, secured your package of ballots, went into the booth, and tore off the one you wanted to vote?—A. Yes, sir.

Q. Prepared it, and then what did you do?—A. Folded it up and handed it to one of the officials there. There was a number put on the back of it, and then it was put in the box. I saw it go in.

Q. Will you state that your ballot was in any way tampered with at all after it disappeared in the box?—A. Well, on that point, I have some reason to believe that the number put on was not the number given from the poll book, but I am not sure of that. I heard the number given from the book and then, when the number afterwards was repeated by some one in reply to a question, I had the impression that the same number was not given. I am not sure of that, though.

Q. So that if your ballot on the poll book appeared to be No. 37, it is possible that the ballot was numbered 38 or 39?—A. It is possible.

Q. And it may have been almost any other number, but you are satisfied that it was not the number that the clerk with the poll book called out?—A. I thought so at the time. I wouldn't swear to it.

FRANK W. HENZEL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 210 Olive street.

Q. Did you vote in this city on the 4th of last November, election day?—A. Yes, sir; I voted on Third street, near Olive, west side. I think it is the Fourth Ward.

Q. Will you state for whom you voted for the short term in Congress?—A. I voted the straight Republican ticket. I didn't scratch any of the candidates.

Cross-examination by Mr. WALSH:

Q. Did you make any alterations or corrections in your ticket?—A. No, sir.

Q. How long have you lived at 210 Olive street?—A. About two years.

Q. Do you know most of the occupants of the building?—A. No; I know about a dozen by sight, not by name.

Q. How many floors are occupied as living rooms?—A. Three.

Q. What did you do in casting your vote?—A. I voted the straight ticket, and then folded it up and the man put it in the box. I voted for all the amendments; struck out the "no."

Q. Was it light in the polling place?—A. Oh, yes; it was a nice place. There was some booths there and some men sitting at the table. There was a half a dozen voters in the polling place.

Q. You saw your ballot put in the box?—A. Yes, sir.

Q. You know it was not tampered with?—A. No, sir.

E. L. MERRILL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 3119 Locust.

Q. Did you vote at the last election?—A. Yes, sir; in the Twenty-second Ward, and I believe the ninth precinct.

Q. For whom did you vote for Congress for the short term?—A. Wagoner.

Cross-examination by Mr. WALSH:

- Q. Did you vote the Republican ticket?—A. Yes, sir.
 Q. What is your business?—A. Architect.
 Q. About what time of day did you vote?—A. About 8.20 or 9 in the morning.
 Q. You went into the polling place and got a package of ballots?—A. Yes, sir.
 Q. Selected from that package the one you wished to vote?—A. Yes, sir; prepared it in the booth and handed it to a man at the ballot box. He placed it in the box.
 Q. It was not tampered with in any way?—A. I saw no opportunity for that.
 Q. Did you vote for the charter amendments?—A. I did.
 Q. Did you make any alteration in them?—A. To the best of my recollection, one of them I didn't vote. Voted "no" on the other.

NOTE.—By agreement of parties the signature of the above witness was waived.

A. J. SOMERVILLE, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. Where do you live?—A. 210 Olive street.
 Q. Did you vote at the election held on the 4th of last November in this city?—A. Yes, sir.
 Q. Do you know the ward and precinct in which you voted?—A. I can't exactly state now.
 Q. Do you know the number of the polling place?—A. Corner of Third and Olive; west side of Third street, just south of Olive; three doors from the corner.
 Q. Will you state for whom you voted for Congress for the short term?—A. Mr. Wagoner.

Cross-examination declined.

J. W. WRIGHT, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. Where do you live?—A. 3336 Washington avenue.
 Q. Did you vote in this city at the election held November 4 last?—A. Yes, sir; in precinct 9, Ward 22, I think.
 Q. Will you state for whom you voted for Congress for the short term?—A. Mr. Wagoner.

Cross-examination by Mr. WALSH:

- Q. Did you select your ballot from a package of ballots handed you?—A. Yes, sir. Then I handed it to the judge and he deposited it in the box.
 Q. You were in a position to see that your ballot was placed in the box?—A. Yes, sir; I waited to see that.
 Q. You have no reason to believe there was any sleight-of-hand performance there?—A. Not the slightest; no, sir.

D. E. McALLISTER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

- Q. Where do you live?—A. 3206 Lucas avenue.
 Q. Did you vote in this city on the 4th of last November?—A. Yes.
 Q. Do you know what ward and precinct you voted in?—A. No; I can't call it; over on Channing, between Locust and Olive, I think.
 Q. Will you state for whom you voted for Congress for the short term?—A. I voted for Mr. Wagoner.

Cross-examination by Mr. WALSH:

- Q. What time was it when you voted?—A. Early in the afternoon, I think; I am not sure.
 Q. Is there any other McAllister at your place?—A. Yes, sir.
 Q. What is his name?—A. There is one Lot McAllister and one Ed McAllister. I have three boys which are all voters. I don't know that they are all registered.
 Q. Is your number actually 3206a Lucas avenue? It is given as 3206½.—A. Well, that would be the same. Some say one and some the other.
 Q. You say that three of your boys are voters?—A. Yes, sir; but they didn't all three vote. I did, and I think Ed did. My oldest son was in Chicago and he didn't vote.

Q. Your name is not D. McAlistee?—A. No, sir.

Q. How do you spell it?—A. M-c-A-l-i-s-t-e-r.

Q. Did you scratch or alter your ballot in any way?—A. Only the amendments.

Q. What kind of a booth was this where you prepared your ballot?—A. Just a box booth, sitting up against the wall. There was a good light. It was near a window, near the front of the building. I was right opposite, on the side.

Q. You prepared your ballot and turned it over to the judge?—A. Yes.

Q. What was done with your ballot after it was handed in to the judge?—A. I folded it and gave it to him and he put the number on it and put it in the box.

Q. You know it went in the box?—A. Yes; I pretty well know it.

Q. So you felt satisfied at that time that that ballot was deposited without any tampering?—A. Yes, sir.

THOMAS OWENS, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 1208 Morgan street.

Q. Did you vote at the election held in this city on the 4th of last November?—A. I did. I think it was the fifth precinct, on Tenth street, between Morgan and Franklin avenue—Fourth Ward.

Q. For whom did you vote for Congress for the short term?—A. I voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. How long have you lived at 1208 Morgan?—A. Four years, nearly.

Q. About what time of day did you vote?—A. Between 2 and 3 o'clock.

Q. Do you read and write?—A. Read some; write some.

Q. Did you read your own ballot on that day?—A. I examined my ballot; yes, sir.

Q. Did you make any alterations?—A. No; took the ticket as it came. Made no changes. My method was I was afraid to scratch the thing at all, so I took the whole ticket all through, fearing I might make some mistakes.

Q. You took the ballot and folded it up and returned it to the judge?—A. Yes, sir.

Q. Did you see your ballot deposited in the box?—A. He put it in the box.

Q. You know your ballot went in there without any tampering other than the necessary handling by the judge and yourself?—A. I looked at him. He put it in the box, so far as I know.

Q. Did you know either of the judges and clerks?—A. I know Raymond.

Q. He is a colored man, too, isn't he?—A. Yes, sir.

Q. Do you believe him to be perfectly honest?—A. Oh, yes; I take him to be honest.

Q. Don't you think he is?—A. Well, I have no right to believe any other way.

Q. No reason to believe that he in any way tampered with your ballot?—A. I didn't hand it to him. I handed it to a man with a yellow shirt on—a big Jew sitting there. He had charge of the box.

Q. You knew Raymond, this colored man, was there as one of the election officials?—A. Yes, sir.

Q. Raymond is a lawyer and has been identified with the Republican party, hasn't he?—A. Oh, yes.

Q. You know him to be a Republican, don't you?—A. Yes; I have known him to be a Republican ever since I have been dealing in the Republican ranks, twenty-odd years.

Q. Do you know he has always been a prominent Republican worker among the colored people?—A. As far as I know. He said he was a Republican. I can't swear to anything of the kind.

Q. You have no reason to believe that he is dishonest?—A. No, sir; I have no reason to believe he is dishonest.

Q. Is your reason to believe that he is dishonest based on the fact that he is a lawyer?—A. I believe he is a lawyer. I have no right to believe that he is dishonest. What dealings I have had with him he is honest, as far as I have dealt with him. That is as far as I can go.

Q. You feel perfectly satisfied that he is honest?—A. So far as I know, I feel that.

L. D. DUVAL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 313 Market.

Q. Did you vote in this city at the election held November 4 last?—A. Yes, sir; in the Fourth Ward, precinct 1.

Q. Will you state for whom you voted for Congress for the short term?—A. Mr. Wagoner.

Cross-examination by Mr. WALSH:

Q. What business are you engaged in?—A. Steam pipe fitters' helper.

Q. Who do you work for?—A. J. J. Cullen. Formerly Cullen & Stock.

Q. How long have you lived there?—A. About a year and a half.

Q. Is that where Cullen's shop is?—A. Oh, no; the shop now is 416 Market.

Q. What is there at 313 Market?—A. Well, there is a barber shop. Weber is downstairs under me in the same house, and there is a paint shop. I live over Weber's barber shop. There is a man named Bill Allen, I believe his name is, who lives at 311; that is across the hall. I don't know the names of the other family; they haven't been there long.

Q. Is it a three-story building?—A. Yes, sir.

Q. Does a man named Pierce live there?—A. Pierce has been out of there about seven or eight months, maybe more.

Q. Does a man named Davenport live there?—A. No, sir; there don't.

Q. Cauley?—A. There is a young man named Cauley. I don't think he is more than about 18 or 19 years old. There is his stepfather, a man named White, lived there.

Q. Where did you live before you went to 313 Market?—A. McLean Building.

Q. What was your business then?—A. Shopman for Cullen & Stock.

Q. What were you doing before that?—A. I was janitor for Rolla Wells five years in the Wells Building, 509 Olive.

CHARLES SHUMAN, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. Where do you live?—A. 817 North Seventh street.

Q. Did you vote at the election held on the 4th of last November?—A. Yes, sir.

Q. Do you know the ward and precinct?—A. Fourth Ward, fourth precinct.

Q. Will you state for whom you voted for Congress for the short term?—A. I voted for Wagoner.

Cross-examination by Mr. WALSH:

Q. You went into the polling place and secured a package of ballots, and then what did you do?—A. I went into one of the booths and I looked over the ballots and selected the Public Ownership ticket, which is my ticket, and I filled in names from the Republican ticket for Congressman, and scratched the numbers on the constitutional amendments as far as I can remember. That is all.

Q. Which term did you fill in for Mr. Wagoner?—A. Filled them in just as they were on the Republican ticket. I am of the impression, though, that Mr. Wagoner was for the short term.

Q. Do you remember which place on the ballot the name of Mr. Wagoner occupied?—A. I think it was near the top. I don't know as to that; I am not acquainted with any of those gentlemen.

Q. The location on the ballot of the Congressional candidates you think was near the top of the ballot?—A. I think so.

Q. That was about where you filled in the name?—A. Yes; it was left blank in my ticket.

Q. Do you remember the names of the candidates on the Public Ownership ticket you voted for?—A. No, sir.

Q. Your best impression is that you filled in the name of Wagoner on the upper part of the ballot?—A. That is what I think, sir. It may have been at the top or it may have been some names down.

Q. Your best recollection is it was next to the top of the ballot?—A. Pretty near toward the top.

L. A. FULLER, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows.

Direct examination by Mr. RICHEY:

Q. You appear here in response to a subpoena?—A. Yes, sir.

Mr. WALSH. When was the subpoena served on you?—A. This morning. I was out of the city a couple of days.

Q. You reside in the city of St. Louis?—A. Yes, sir.

Q. How long have you resided in St. Louis?—A. Since 1879.

Q. What is your business?—A. I am connected with the Pacific Express Company

Q. What was your business in October in the year 1887?—A. Superintendent of the Pacific Express Company.

Q. Where was your office?—A. Corner of Fourth and St. Charles, in St. Louis.

Q. Did you know E. M. Morsman?—A. Yes, sir.

Q. What was his business in October, 1887?—A. President of the Pacific Express Company.

Q. (Paper handed to witness.) I will ask you if you ever saw the original of this telegram of which this is a copy?—A. I have a slight recollection of receiving such a telegram from Mr. Morsman. I can't say whether this is exactly the same or not. That was the substance of it.

Q. It was addressed to you, was it not?—A. Yes, sir.

Q. This is on the blank of the Western Union Telegraph Company—

Mr. WALSH. We object to that statement as this only purports to be a copy.

Mr. RICHEY.

“CHICAGO, October 11, 1887.

TO L. A. FULLER, St. Louis, Mo.:

Messenger Owen has been crazy from drink and troubles, is now in his right mind. Everything satisfactorily explained. Stop all action in the matter. There is no loss or ground for criminal proceedings. No objection to wife or friends knowing it.

E. M. MORSMAN.”

Q. You say you remember that telegram that you received from Mr. Morsman at or about the time indicated, that is, October 11, 1887, and that is substantially—

Mr. WALSH. We object to Mr. Richey testifying in this testimony; he is not a witness.

By Mr. RICHEY:

Q. The original telegram?—A. Yes, sir; I remember receiving a telegram the substance of which was about the same as that. I can't say whether the wording was exactly the same.

Q. But it was substantially the same?—A. Yes, sir.

Cross-examination by Mr. WALSH:

Q. In what connection was this telegram received?—A. I was subpoenaed here before and I declined to go into the history of the case.

Q. Now that you have stated as much as you have, I would like to hear in what connection this is. What connection was this telegram received? What was the nature of the matter?

Mr. RICHEY. I will say that there is nothing compulsory, Mr. Fuller—

Mr. WALSH. We object to the coaching of this witness on the part of the attorney. You now suggest to the witness that he need not answer.

Mr. RICHEY. You suggested that to the policeman?—A. No; I did not.

Mr. RICHEY. The record will show differently.

Mr. WALSH. The record will not show that I ever attempted to coach any witness.

Q. I will ask you to answer in what connection this telegram was received? What was the matter upon which this bore? I will make the statement to you in advance of the reason I have to ask you this question. The messenger referred to is John B. Owen, isn't he?—A. I suppose so.

Q. John B. Owens has made affidavit in this case before the Fifty-seventh Congress, and the Fifty-seventh Congress have relied on the honesty and probity of Mr. John B. Owens in ordering this investigation. Now, you have been called here to bolster up that affidavit, or the character of the man who has made that affidavit, in testifying to this telegram. Now, I want to know just exactly in what connection this telegram was sent or purported to have been sent.

Mr. RICHEY. Counsel for contestant desires to state that the witness now on the stand has not been called here for the purpose of bolstering up the honesty, in the language of the attorney for the contestee, or probity—(to the stenographer) put that in quotation—of any witness or any other person; that Mr. Owen did not make any affidavit in this contest before Congress or any committee, and the witness is called here simply to identify a telegram.

Q. Now, I will ask you, after the statements by both sides have been made, to tell me in what connection that telegram was sent by Mr. Morsman?—A. I think the telegram explains itself, as far as I can understand.

Q. Is it a fact that at the time this telegram was sent a large sum of money—some-where in the neighborhood of \$35,000—had disappeared, along with John B. Owens, a messenger of your company at that time?—A. I don't care to go into that at all.

Q. Well, you have identified this telegram for the purpose of showing that this was sent by a member of your, at that time, force. Now, I want to know if that is the connection in which that was sent.

(Objected to, as the telegram speaks for itself.)

Q. I am not asking you about the telegram. I asked the connection in which it was sent, and the circumstances.

Mr. RICHNEY. I will say to Mr. Fuller—

Mr. WALSH. He is your witness. I will ask you to let your witness answer. He is perfectly able to take care of himself, as you have on numerous occasions stated. Don't coach your witness.

Mr. RICHNEY. I am not coaching him at all. I would not make any such effort. We have too much respect for Mr. Fuller.

The WITNESS. I prefer not to go into that case at all. It is pretty ancient.

Q. It is quite as ancient as this telegram that was read?—A. I presume so.

Q. It is connected with the disappearance of a large sum of money in the hands of the company over which you had charge?—A. I don't care to go into that case at all.

Q. Messenger Owen here referred to is the John B. Owen of this city, isn't he?—A. I presume so.

Q. John B. Owens was at that time employed by your company as messenger, wasn't he?

Mr. RICHNEY. We object to this. This matter was all gone into on the direct examination by counsel for contestee when Mr. Fuller was called by counsel for contestee as contestee's witness. There is no reason why it should be gone into again.

Mr. WALSH. Now, as counsel for contestant has called in as his witness and introduced an alleged copy of a telegram with reference to a transaction which occurred October 11, 1887, about which contestee, through his attorney, vainly endeavored to secure some information at the time when this witness was called, and owing to the fact that he has been so ably coached by Attorneys Holtcamp and Richey for contestant, both at the original calling by contestee and now during this attempted cross-examination by contestee, we prefer to take the matter up as it stands, owing to the fact that the witness has been introduced by the contestant.

The WITNESS. I wish to state that I was not coached and did not know what I was called here for; I had no conversation with anybody, and I simply declined to answer the question because I don't want to go into it.

Q. It has been suggested to you several times that you did not need to answer, hasn't it?—A. No, sir.

Q. Didn't the attorneys here tell you during this examination that it was a personal matter and that you need not answer?—A. No, sir, I have not seen the attorneys.

Q. Just during this examination?—A. Only what they said here.

Q. Yes; I will ask you whether at the time Messenger Owen was crazy from drink and troubles, if the troubles that he was crazy from were not the fact that he was at that time incarcerated in Chicago?—A. I don't care to say anything about it.

Q. Will you deny it?—A. Neither deny nor affirm it.

Q. Simply won't talk about it at all?—A. No, sir.

Q. Did your company on or about the 11th of October, 1887, lose, by theft or otherwise, about \$35,000?—A. I must decline to answer that.

Q. Is it a fact that about the 11th day of October, 1887, \$35,000 or about that sum were intrusted to the care of John B. Owens, a messenger in your employ?—A. I decline to talk about that at all.

Q. Is it a fact that the \$35,000 was recovered from John B. Owens in Chicago?—A. I don't think there is any use pursuing the matter in that way.

Q. What way do you prefer?—A. I prefer to quit.

Q. I would rather you did not. I would rather you told me. You came here voluntarily?—A. I did not. I came here on a summons.

Q. You have voluntarily testified to this telegram and its contents.

(Objected to on the grounds that the witness has stated that he came in answer to a subpoena.)

Q. You answered without any reserve, didn't you?—A. I simply said I recollected of receiving such a telegram.

Q. You refuse to state in what connection that telegram was sent or received?—A. I don't care to go into that.

Q. Is it not a fact that of the \$35,000 or about \$35,000 which was lost by your company at or about the 11th day of October, 1887, that \$1,000 of that money was recovered from Charles C. Johnson, an attorney of this city?—A. I don't care to answer that question.

Q. Isn't it a fact that the larger proportion of the \$35,000 or about that amount was recovered from under an ash pit in the yard of John B. Owens, the messenger who is referred to in this telegram?—A. I don't care to talk about that matter at all.

Q. When did John B. Owens cease to be an employee of yours? Refresh your mind with this telegram if you choose.—A. I presume about that time.

Q. About the 11th day of October, 1887?—A. Yes, sir.

Q. Has he been in your employ as a messenger in any capacity since?—A. No.

Q. Is he eligible for employment by your company?—A. He has not made application. If he had, that would be a matter to be considered.

Q. Are there any requirements with reference to hiring employees or the employment of persons in your company?

(Objected to as irrelevant to any issue involved in this case, and therefore entirely without interest to Congress.)

Q. Now, Mr. Fuller, if it is true that John B. Owens did forward to Charles P. Johnson \$1,000 to defend him in connection with the disappearance of some \$35,000 of money which had been intrusted to the care of your company, and to him, do you consider that was the act of a crazy man? Would you mind answering that?—A. I don't care to tell what I think about it.

Q. Did you at the time that this telegram was sent believe that John B. Owens was crazy from drink or from any other cause?—A. I don't want to talk about it at all.

Q. The most interesting feature of this telegram at the time that it was sent was that you recovered some \$35,000 of money that had been lost, wasn't it?—A. You are simply trying to get an answer out of me, and I don't propose to answer.

Q. Simply refuse to answer?—A. Yes, sir.

Q. You refuse to answer on a vital question in which the honesty of John B. Owens is at stake, with reference to his reliability or his honesty, is that your position?—A. My position is that I don't want to have anything to say about what happened fifteen, sixteen, or seventeen years ago.

Q. What you have said with reference to this telegram—you did not refuse to answer that?—A. I simply said I recollected receiving some such telegram.

Q. Do you recollect in what connection you received it?—A. I have some recollection about it.

Q. Was it in connection with the disappearance of a messenger by the name of John B. Owens?—A. I don't want to answer any more questions as to that. I refused to do it before, and I don't care to go into it now.

Q. You don't recollect that it was in connection with the disappearance of Mr. John B. Owens.

Mr. RICHY. We object to that. The witness has declined to answer some eight or ten times now, and you are simply asking this witness for the sake of going on the record. You have been told beforehand after repeated questions that the witness declines to answer.

Mr. WALSH. Are you worrying for fear the witness will answer?

Mr. RICHY. Not a bit.

The WITNESS. I am not trying very hard to answer.

Mr. WALSH. I noticed that. That is the reason that I am opposed to the other gentleman constantly injecting remarks.

Mr. RICHY. We have a right to inject remarks when our time is taken up.

Mr. WALSH. You brought him here to testify about the character of Mr. John B. Owens.

Mr. RICHY. No, sir.

Mr. WALSH. What else is the telegram for?

Mr. HOLTCAMP. Well, if you can't understand what it is for, you will have to find it out from some other source.

Mr. WALSH. I want to find out from the other source.

Q. If I state to you that Mr. Owens is at this moment in an adjoining room endeavoring to place before Congress information involving the residence and the honesty of probably 300 men, do you think, then, that you can answer as to whether you believe Mr. Owens to be a man whose statements could be believed under oath or otherwise?—A. Well, I don't care to go into the case at all.

Q. Mr. Fuller, yours is a company which is constantly engaged in endeavoring to secure information as to the honesty of its own employees, isn't it?

(Objected to as irrelevant and immaterial, and therefore of no interest to Congress.)

Q. Isn't that the fact?—A. We conduct our business in our own way.

Q. Yes, and in your own way you want to learn who are honest and who are dishonest employees, don't you?—A. We have a way of getting at that.

Q. Exactly. Now, for the purpose of discovering whether or not the employees and the witnesses of the contestant are dishonest, don't you think, in all fairness to the contestee and to Congress, you should make a statement as to what you personally know of the honesty of the witness who is relied on largely to prove the contestant's case?—A. I don't know that I have anything to do with this controversy one way or another.

Q. I realize that, but I want to secure from you information which will explain to Congress in what connection the telegram was sent. Why did Mr. Morsman telegraph to you that Messenger Owens had been crazy from drink and troubles and that everything was all right?—A. If he was here he could explain why he sent it.

Q. You were an interested party at this place, weren't you?—A. I was interested in the company's business.

Q. You then occupied practically the same position you do now?—A. No.

Q. You were agent at that time?—A. I was superintendent at that time.

Q. And as superintendent, John B. Owens was one of your employees? I believe you have already stated that much. Mr. Morsman was the local agent?—A. He was president of the company.

Q. Now is it impossible for you to state anything further?—A. It is not impossible, but it is not desirable so far as I am concerned.

Q. I realize that, Mr. Fuller. I realize that you dislike very much to make any statement in this matter, but for the purpose of showing to Congress what connection this piece of evidence has that has been introduced, I would like to, and I do, ask you what was the connection? Why was the telegram sent to you, and who was the Messenger Owens who is referred to?—A. I have declined to go into this matter any further.

Q. I understand. Can't you explain any further than you have what there is in this copy of a telegram?—A. I suppose I can give the history of it, but I don't wish to.

Q. Where was Messenger Owens employed?—A. I have said that I didn't want to go into this case, and if I answered that question you would ask me others. I don't care to answer it.

Q. He was employed by the company of which you were at that time superintendent, wasn't he?—A. I have no objection to saying that he was.

Q. About that time he ceased his connection with the company—that is, about October 11, 1887?—A. I have said about all I want to say on that.

Q. Has he been employed by your company or in your employ since that time? (Objected to as only for the purpose of consuming time.)

Q. Has Messenger Owens been in your employ since that time? (Objected to.)

Mr. HOLT CAMP. Mr. Fuller, we will excuse you now. You may retire.

Mr. WALSH. Mr. Fuller, in leaving the stand you do it against the protest of the contestee, knowing full well that you have full knowledge of the transaction I have referred to, in which John B. Owens took from your company while a messenger an amount in the neighborhood of \$35,000. Will you deny that statement?

Mr. HOLT CAMP. Mr. Fuller—

Mr. WALSH. Wait a moment, please—

Mr. HOLT CAMP. Counsel for contestant protests, and desires the record to note that this is purely a story of counsel for contestee not supported by any oath nor affidavit; and in view of the fact that counsel for contestee has repeatedly, for the last fifteen or twenty minutes, gone over the same line of cross-examination and repeated the same questions over and over again, and the witness has distinctly stated that he would not answer the questions nor go into the matter—in view of that fact, we object to this as incompetent, irrelevant, and immaterial, and counsel for contestant excuses the witness. (You can go, if you wish.)

Mr. WALSH. I will ask you if you are prepared to go to Washington in connection with this matter and appear before Congress?—A. Would I get a free ride?

Q. I don't know about that, but you refuse to answer these questions, do you, unless ordered by Congress to do so or by order from the Federal court?—A. If I am obliged to answer I will do so; otherwise I will not.

Q. Otherwise you will not retail any of the history in the case in connection with the telegram which you have partially identified as a copy?

The WITNESS. I thought I did not have this subpoena with me. I thought I had left it on my desk. But I see I have it, if anyone wants to see it.

Mr. WALSH. The witness Fuller is excused over the protest of attorney for contestee, and owing to the fact that he has been coached continuously by attorneys for contestant, who brought him here to bolster up the character of Mr. John B. Owens, and about whose character Mr. Fuller absolutely refuses to testify.

Q. Do you deny that Mr. Owens was the man who took from \$34,000 to \$35,000 in 1887 while a messenger in your employ?

Mr. HOLT CAMP. Mr. Fuller, you are excused, if you wish to go.

By Mr. WALSH:

Q. Will you answer that?—A. I don't care to answer any further questions.

Q. You will not deny it?—A. Neither deny nor affirm it.

Q. You would not affirm it upon an honest man, nor would you allow an honest man to go with any such stigma on his reputation, would you? If it was not true you would deny it?—A. Who?

Q. John B. Owens. If he was an honest man, if he had not done that, my referring to the fact that he had taken some \$35,000 would not be treated with silence?—

A. We are not in the habit of telling all about our business.

Mr. WALSH. All right.

ROBERT H. REIFENSTAHL, of lawful age, being produced, sworn, and examined on behalf of the contestant, deposeth and saith as follows:

Direct examination by Mr. HOLTCAMP:

Q. What is your business?—A. Photographer.

Q. Did you take these photographs which I now show you, and which are marked, respectively, as shown on the photographs?—A. I did; yes, sir.

Q. I show you photograph marked "Exhibit 1." Did you take that photograph?—A. Yes, sir.

Q. Did you examine the premises?—A. Yes; I asked the bartender who lived there and he told me.

(Objected to as hearsay, as to what somebody else told the witness.)

Q. Was anyone living there?—A. No, sir.

Mr. WALSH. We further object to the taking of this testimony of this witness for the reason that the contestee has received no notice of the intention to examine this witness. Further, on the ground that this examination is not in connection with evidence in rebuttal, but is evidence in chief, and not in response to any evidence taken by contestee.

Q. Did you take photograph Exhibit 2?—A. I did.

Q. Did you make any examination of these premises?—A. I inquired of the man who kept the store on the first floor, and he informed me—

(Objected to as hearsay.)

A. There were six rooms above; that he occupied the store below. That is all the knowledge I could gain.

Q. Examine photograph No. 5. Did you make any inquiry concerning the number of rooms in that place?—A. Yes; I inquired of the bartender, and he said Mr. Driscoll, the proprietor of the saloon, lived upstairs; there were 8 rooms.

(Objected to as hearsay and not in rebuttal.)

Q. Examine photograph No. 6. Did you make that?—A. Yes; I went inside; there are no rooms whatever.

Mr. HOLTCAMP. That is 2319 Chestnut?

Mr. WALSH. Who says that? We object to the statement by counsel in the nature of a statement of fact, unless counsel places himself on the stand.

Q. Photograph No. 1 is 2230 Chestnut street?—A. Yes, sir.

(Objected to.)

Mr. HOLTCAMP. Don't pay any attention to him at all—

Mr. WALSH. We object to this witness being interrogated in this manner as to locations; let him identify them.

By Mr. HOLTCAMP:

Q. Is that place No. 2220 Chestnut street?—A. Yes, sir.

Mr. WALSH. Did you know that until you were told?—A. I have lived in this city for twenty-one years. I know all the places there.

Q. What number is the building in photograph No. 2?—A. 734 South Seventh.

Q. What is the number of photograph 6?—A. 2319 Chestnut street.

Q. Did you take photograph No. 10?—A. I did; that is 20 South Eighth street.

Q. Did you make an investigation concerning that?—A. Yes, sir; found that it was a rooming house—10-cent rooming house—lodging house, 10 and 15. I couldn't get information as to the number of rooms.

Q. Did you make photograph No. 9?—A. Yes, sir; that is 813 Market street. I inquired of the lady that has the house above, and she informed me there was 6 rooms; that she had one boarder.

Q. No. 11?—A. 3252 Olive street. I took that photograph. I inquired of the lady, and she told me it was a boarding house; ten rooms in the house.

Q. Did you take photograph No. 12?—A. Yes, sir; that is 742 South Seventh. I inquired of the bartender, who was the only person on the premises, and he stated that Mr. Lyons had a saloon downstairs and there were 3 rooms upstairs.

Q. I show you photograph No. 13. Did you make that?—A. I did. That is 710 South Sixth street. I inquired of the gentleman who lived there and he stated there were three rooms.

Q. I show you photograph No. 11. Did you make that?—A. I did. That is 521 Spruce street. It is used as an office for the St. Louis Physicians Supply Company. No living rooms there at all, according to the information given.

Q. I show you photograph No. 15. Did you take that?—A. I did. That is 1035 North Second. At the time I took the picture it was not occupied. It was occupied formerly, before it was vacant, by a man named Kinney, who ran a saloon.

Q. Do you know what his nom de plume was—a society name?—A. I am not acquainted with his name; no.

Q. Photograph No. 17, did you take that?—A. I did. That is 210 South Levee. I inquired inside of a party in the restaurant and found it was a colored restaurant, three rooms upstairs. I could not get any further information.

Q. Photograph No. 18, what is that?—A. Nos. 111, 113, and 115 South Sixth street. I went upstairs and asked the lady who came, and she informed me it was a rooming house; there are three rooming houses. She refused to answer my questions. She seemed afraid that something was the matter.

Q. No. 19. Did you make that photograph?—A. Yes, sir. That is 811 Market street. I went in the sign shop and they informed me there was a rooming house upstairs. I went upstairs and the lady said her name was Miss Ona Wickersham. It was a 25-cent lodging house, ten rooms.

Q. I show you photograph No. 20, and ask you whether you made that?—A. I did; yes, sir. That is 211 and 215 South Sixth. A livery stable. Used as a livery stable and always has been.

Mr. WALSH. Always has been?—A. Yes, sir. I inquired of a party and he said nobody lived there; that it was a livery stable.

Q. I show you photograph No. 21.

Mr. WALSH. We object to all this as not being rebuttal, and for the reason that the contestee did not offer any evidence of this character in chief, and has no opportunity to rebut it by proving how absurd it all is.

Mr. RICHEY. Counsel for contestant desires the record to show in response to the objection just made that counsel for contestee asked about the way in which parties were registered, and the manner in which the canvass was made of clerk after clerk in the different precincts, and that the testimony is introduced here to contradict the testimony of contestee on that point.

Q. What number is that?—A. 615 Franklin. I entered the tailor shop there, which occupies the lower floor, and he said there was a rooming house upstairs, but he didn't know anything further. I went upstairs, and the lady said she was the landlady, and there was 19 rooms.

Q. Photograph No. 22; did you make that?—A. Yes, sir. That is 507 North Channing. A livery stable. No one living there to my knowledge.

Q. Photograph 23, did you make that?—A. I did. That is 823 South Sixth. I inquired of the party that lived there. There was a lady answered the door and she said Mr. George Blockburger lived there and she was his wife. It was a six room flat.

Q. Did you make photograph No. 24?—A. Yes, sir. That is 1636 Franklin avenue. I went inside and asked the bartender how many rooms there were and he referred me to the proprietor that was in the place, and he refused to tell me or answer any questions?

Q. Did you make photograph No. 25?—A. Yes, sir.

Q. What street and number is that?—A. That is 400 South Seventh street, the corner building. I asked the man behind the bar and he stated there was 11 rooms there.

Q. Photograph No. 26?—A. Yes; I made that. That is 117 and 119 South Seventh. I asked the gentleman in the barber shop and he informed me that he occupied No. 119 and there was a saloon next door. Mrs. Moore lived upstairs; there was 7 rooms there.

Q. Photograph No. 27, did you make that?—A. Yes, sir; that is 708 and 710 North High street. I asked the lady that lived there—I found her in a shoe shop and she said there was 22 rooms in all.

Q. Did you make No. 28?—A. Yes, sir; that is 406 North Eleventh. I asked the proprietor and he informed me that his wife ran the house two doors from there and that he ran that house. That it was a sporting house; there were 8 rooms there and he lived there about eight months.

Q. I show you photograph No. 29?—A. Yes, sir; I made that. That is 3311 Locust street. I inquired of the man that claimed that he was the watchman and stayed there, he was the only occupant; he said he was the only one there, and it was used as a stable.

Q. Photograph No. 30, did you make that?—A. I did. That is 522 and 524 Elm street. This corner store is vacant. I went into the Chinese laundry and was

informed that he did not know how long the corner store was vacant; that a cigar man owned the property by the name of Bent. He told me he occupied the upper story as a manufacturer of cigars.

Q. I show you photograph No. 31?—A. I took that. That is 1014 Collins street. The house was vacant and I couldn't gain any information. I inquired of the boys who live next door and they claimed it was vacant for some time.

Q. Photograph No. 32, did you make that?—A. Yes, sir; that is 2136 Walnut street. I asked the party who lived upstairs and he said there were 4 rooms; that he lived there.

Q. Photograph No. 33?—A. I made that. That is 810 North Tenth street. I went inside and I was answered by a man who seemed to be an Italian. He said there were 6 rooms; that the man who lived there was named Hoe Valentine.

Q. Photograph No. 34, did you take that?—A. Yes, sir; that is 124, 126, and 128 Linden street.

Q. What is the character of those houses?—A. Sporting houses.

Q. Did you inquire as to how many men lived there?—A. Yes; I inquired of each house, and they said the girl that was in the house was the only occupant.

Q. I show you photograph 35, did you make that?—A. Yes, sir; that is 816 Market street. I inquired of the baker, the clerk in the bakery shop, and she informed me there were 6 rooms upstairs; furthermore she did not know.

Q. 37, did you make that?—A. Yes, sir. That is 903 Morgan street. I inquired of the saloon and he said there were 3 rooms upstairs and the saloon downstairs.

Q. Photograph 38, did you make that?—A. Yes, sir; that is 815 Walnut street. I inquired downstairs and the lady told me that she had a house there with 11 rooms.

Q. Photograph 39, did you make that?—A. Yes, sir; that is 800 North Tenth street.

Q. Did you make any inquiry there?—A. I inquired of the photographer who lived upstairs and he stated there were 6 rooms and he occupied 2.

Q. Photograph 40, did you make that?—A. Yes, sir; that is 738 South Seventh. I inquired of the lady upstairs, and she said there were 6 rooms in the entire house.

Q. Photograph 41, did you take that?—A. Yes, sir.

Q. What street number is that?—A. I asked the street number. It was stated that it was 3865 Forest Park boulevard. Used as a stable; garbage wagon.

Q. Do you know what name it goes by?—A. Butler's stable.

Mr. WALSH. Who told you that it went by the name of Butler's stable?—A. I will show you the man's picture, if you will let me—right there [indicating].

Q. Which one is it?—A. That man there.

Q. Was he the man in charge there, or from whom you obtained the information?—A. I don't know who he was. He went in and out the stable; he had overalls on.

Q. In pointing to the man in the photograph you point to the man in the doorway; the second door from the right hand of the picture?—A. Yes, sir.

Q. Photograph 43, did you make that?—A. Yes, sir; that is 704 North Levee.

Q. For what purpose is that building used?—A. I don't know. There was 3 rooms in the entire house. I got that from a man who came out of the house; the door downstairs.

Q. I show you photograph 45 and ask you whether you made that?—A. Yes, sir.

Q. What is that number?—A. I don't know the number. It is on Seventh and Walnut; the Standard Theater.

Q. Do you know who owns it?—A. No, sir.

Q. Photograph 47, did you make that?—A. I did; yes, sir. That is 507, 509, and 511 Spruce street. I asked the man in the lodging house, and he informed me there were 18 rooms in the entire house, he thought.

Mr. HOLT CAMP. I offer in evidence these photographs, which have been identified by the witness by their numbers attached to the photographs, and the street numbers as given in his testimony, and ask that they be marked as exhibits.

Said photographs are marked by the notary as follows: Exhibits 1, 2, 5, 6, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 43, 45, and 47.

Cross-examination by Mr. FRUMBERG:

Q. What is your business; what was your business at or about last election?—

A. I was substitute letter carrier.

Q. How long have you been engaged in that occupation?—A. Since last April.

Q. You are no longer connected with the Post-Office Department?—A. Yes I am.

Q. I thought you said a moment ago you were a photographer?—A. I am; I have leave of absence now.

Q. During your leave of absence you devote your time to the business of photography?—A. Yes, sir.

Q. With whom are you associated in this business?—A. No one; I have my place of business at home.

Q. Where do you keep your paraphernalia?—A. At home.

Q. By whom were you engaged to do this work?—A. By Mr. Frank White.

Q. Who is he?—A. I don't know who he is. He came to my house and engaged me for this work.

Q. Who sent him to you?—A. I have no idea.

Q. How long have you known White?—A. I can't say positively; about a week and a half. I never knew the gentleman before.

Q. Did he tell you who sent him to you?—A. No, sir.

Q. Do you advertise your avocation in any of the papers of the city?—A. No, sir.

Q. Did he state to you who sent him to you for this purpose?—A. Yes; he said Mr. Erker did.

Q. Who is he?—A. He is a clerk in the Erker Bros. optical concern.

Q. Well, Mr. White, the gentleman who engaged you, is in the employ and has been in the employ of the attorneys for the contestant in this matter, has he not?—A. I don't know who he is employed by.

Q. Didn't he tell you he was employed by them to secure evidence for contestant?—A. No, sir.

Q. Who pays you for your services?—A. I haven't been paid.

Q. To whom did you render your bill?—A. My bill is to be rendered.

Q. To whom are you instructed to render it?—A. I had no instructions whatever to render the bill to anybody. I am going to render it to Mr. White.

Q. Is this the gentleman you refer to standing in the door?—A. Yes, sir.

Q. For your information I desire to state that Mr. White is the gentleman who is employed in this contest by the contestant or his representatives. You know now that you were employed by the contestant.

Mr. RICHEY. We object to the statement of counsel that Mr. White is our employee; that is simply his statement, and there is no proof of the fact at all; it is made to mislead the witness.

Q. Were you instructed to photograph the Wagoner undertaking establishment on Olive street, between Eleventh and Twelfth?—A. No, sir.

Q. You know where that is located, do you not?—A. Yes, sir.

Q. Who went with you when you made these photographs?—A. I was by myself.

Q. Did you receive a list of the places which you were to photograph for Mr. White?—A. Yes, sir; I did. He stated to me that I could find out how many rooms there were, and who occupied the premises, and all the information I could regarding the premises, and I did so.

Q. How would you make the inquiry?—A. I would inquire of the party who answered my response, and in case it was a saloon I would ask the bartender; I would get my information from the best source I could?

Q. How much time did you consume in making these inquiries and these photographs?—A. Well, on bright sunny days it would take me a shorter time than on cloudy, disagreeable days. I never timed myself and I haven't the least idea.

Q. Did you make the inquiries at that same time you made the photographs?—A. Yes, sir.

Q. Do you know the premises 2330 Chestnut street?—A. I was there, yes, sir; I photographed those premises.

Q. Whom did you see with reference to making the inquiries?—A. I asked the bartender who owned the place and he said Mr. Harry McGee ran the saloon there with the wine room. He said no one lived there.

Q. Did you ask who worked there?—A. No, sir.

Q. Do you know the number of persons who worked there?—A. I have no idea.

Q. If persons answering to these names—John Davis, W. Brooks, William Jones, Albert Jackson, Wm. Reade, Wm. Wayner, and John Carville registered at those premises, are you prepared to say positively they did not live there?—A. Well, I can only state that the information given me furnished me with no place of abode of any person there.

Q. Did you see Harry McGee?—A. No, sir.

Q. How many persons did you see in the place?—A. I saw the bartender and the porter standing in the door.

Q. Do you know that Mr. McGee employs five men around his place during the day and the night—two of them during the day?—A. I didn't see them. I was there in the daytime. I saw two men there.

Q. You don't know who was there at night?—A. No, sir.

Q. You know the contestant, Geo. C. R. Wagoner?—A. No, sir; I don't.

Q. Do you know who he is by reputation?—A. Never seen the gentleman. I heard that he was an undertaker.

Q. You know that he is the contestant in these proceedings?—A. I have had no one tell me, with one exception, and that is yourself.

Q. Have you read the newspapers in the city of St. Louis for the last two months?—A. Yes, sir.

Q. Have you ever read any item with reference to the proceedings with reference to this contest? Have you ever heard or read Mr. George C. R. Wagoner's name in those items as being the contestant in these proceedings?—A. What I have read would be the headlines, which would state that the Wagoner-Butler contest was in session. As the information was not of interest to me, I very seldom read it.

Q. Did you know that the Wagoner referred to was Geo. C. R. Wagoner?—A. I did.

Q. You know the location of the Wagoner undertaking establishment on Olive street, between Eleventh and Twelfth?—A. Yes, sir.

Q. You know Mr. Geo. C. R. Wagoner is connected with that establishment?—A. I do not.

Q. How long have you lived in St. Louis?—A. Twenty-one years.

Q. How old are you?—A. Twenty-one.

Q. When did you cast your first ballot?—A. Last election.

Q. What are your politics?—A. I am a Republican.

Q. Don't you know that Mr. Geo. C. R. Wagoner was a candidate for the short term for Congress in the Twelfth Congressional district?—A. I do.

Q. Don't you know that Geo. C. R. Wagoner, who was a candidate, is the gentleman who is connected with the Wagoner undertaking establishment?—A. No, sir.

Q. Do you mean to tell me that you, an employee of the post-office, and a Republican, don't know or did not hear that Geo. C. R. Wagoner, candidate for Congress for the short term in the Twelfth Congressional district, is the Geo. C. R. Wagoner who was connected with the Wagoner undertaking establishment?—A. I did not know that he was connected with it. In fact, I did not hear of the gentleman before I seen the ballot.

Mr. WALSH. Where do you carry letters? What is your route?—A. I have no route now.

Mr. HOLTCAMP. We object to this line of examination. This matter has all been gone over by one of the attorneys for contestee and now is being gone into again by another attorney for contestee. I would like to invoke the rule that cross-examination of a witness is limited to one attorney.

Mr. WALSH. Mr. Frumberg is busy, and for the purpose of facilitating matters I wish to go on.

Mr. HOLTCAMP. I objected to your going over the testimony again, that is all.

By Mr. WALSH:

Q. How old are you?—A. Twenty-one.

Q. When were you 21?—A. August 27 last year.

Q. I thought you volunteered a statement to the effect that you had been living in the city twenty-one years?—A. Yes, sir, I have. I was born and raised in the city.

Q. So that for a few years of your life you were not so conversant with the localities of this city as more recently?—A. No, sir.

Q. Have you ever carried letters?—A. Yes, sir.

Q. The method that you used in securing information as to the residents of the various houses that you have here photographed is just exactly the same as you used in delivering registered letters, is it? Why do you hesitate?—A. In delivering registered letters the rules and regulations demand that you ask of the party—make personal delivery.

Q. How long do you usually hold a registered letter when you go to deliver it?—A. A day. If you have a registered letter and the party is not in, it is supposed to go back to the office, that is, if there is a returned order and the addressee is not in. You are supposed to take it around another day, and try, on each trip. If the party is not in you are supposed to return it until you have further instructions.

Q. You are familiar with the rules and regulations of the post-office with reference to future delivery of that letter?—A. To a certain extent. If the letter is not

delivered, the rule in the registry department is that every party that registers letters shall have his name and address on the letter or package to return to him.

Q. How soon?—A. I can't say.

Q. Do you leave a notice if the party is not in?—A. If the party lives there and is known by the carrier to live there the carrier will leave a notice. If he is known to live there he don't leave a notice.

Q. So that it is altogether left to the judgment and knowledge of the carrier as to whether or not he will leave a letter at any place that the registered letters is addressed to?—A. If a letter is addressed to a gentleman that does not live in a place and another party lives there he will not leave the letter unless the party in person to whom the letter is addressed is presented to him.

Q. Do you leave any notice of the fact that you have a registered letter for a party who is not found?—A. No, sir; not to my knowledge.

Q. You are familiar with the rules?—A. Well, the rules and regulations—that is a pretty large thing—I can't endeavor to keep track of all of them.

Q. You passed the civil-service examination?—A. Yes, sir.

Q. Do you know what the rules are with reference to leaving a notice if the person is not there to receive a registered letter?—A. Yes, sir. For instance, if John Smith lives at a house and he is working and is not in and his father is there the carrier will leave the notice with his father that there is a registered letter at the office.

Q. But suppose Mr. John Smith's father, uncle, sister, and all his collateral and immediate relatives are dead or don't live there, what do you do under those circumstances?—A. Return the letter.

Q. Do you under any circumstances leave notice at the house of an addressee, when you don't find the addressee, informing him that there is a letter for him?—A. If there is a party living at the house and there is no response the carrier, if it is possible for him to do so, will put a notice under the door. If Mr. Jones lives there and the letter is for John Smith most certainly he will have no use for the notice.

Q. If the house is not occupied or if it is vacant how do you discover whether it is occupied?—A. By looking. The carrier is supposed to be familiar with his neighborhood and his route.

Q. Is it on account of your familiarity with the various sections of the city that you were selected to get this information?—A. No, sir.

Q. Who put these notations on the bottom of each one of these photographs?—A. I turned the photographs over to Mr. White.

Q. Do you know who Mr. White is?—A. No, sir.

Q. Is he the gentleman who was identified as a confidence man here yesterday by Officer Lally?—A. I don't know; I wasn't here yesterday.

By Mr. FRUMBERG:

Q. Who put those notations upon these exhibits?—A. I turned the photographs over to Mr. White with the information which I received from each and every individual house. I am not aware who put them there.

Mr. FRUMBERG. We desire to object to the introduction of these photographs in evidence on the ground that the witness who prepared the same did not do so in toto as is testified to by himself. Something was evidently added to them by someone else, and they are not the same photographs in their entirety as prepared by the witness.

Mr. HOLTCAMP. Contestant's attorney desires to say that the absurdity of that objection is apparent. If Mr. Frumberg, who was not present when the photographs were identified, will look up the record he will see that the witness simply swore to making the photographs and that the memorandum on them was not identified by the witness at all.

Mr. FRUMBERG. We object to the introduction of the photographs in evidence with these notations on them. If the photographs were introduced without the notation or if the witness had testified that he prepared them we would have no objection to their introduction.

Q. How much of a family are you a member of? How many male members of your family are there?—A. Just myself. I live with my mother.

Q. You didn't photograph Mr. Wagoner's place of business?—A. No, sir.

Q. You don't know of your own knowledge the persons registered from the various places as appear by these exhibits did not live there, do you?—A. Well, if there was 40 people registered from a house where I had information there was nobody living, my intelligence would tell me that they didn't live there.

Q. But you say in most cases you did not inquire of the landlord or proprietor of

the establishment—simply the employees.—A. I inquired of the party that knew the place.

Q. Take Harry McGee's place—when you came there all you saw was two men. Did you explain your mission to Mr. McGee's employees?—A. No, sir.

Q. He did not know what the information was wanted for?—A. No, sir.

Q. Take 507 North Channing avenue, the Holland livery stable, where there were 20 registered, whom did you see there?—A. I seen the party that was standing in the door. I don't know who he was. I asked for the proprietor, and he said the proprietor was not in. I asked if he belonged there, and he said he did.

Q. Why didn't you see the proprietor?—A. If he wasn't in I couldn't see him.

Q. Why didn't you come back?—A. My instructions were not to see certain people: I was to see the people that were at the places who could give me the information I wanted.

Q. Did you go to the office of the livery stable?—A. I went there and there was nobody there. I asked this man if he belonged to the stable, and he said he did, and I asked if anybody lived there, and he said "No, it was a livery stable." I asked him if the proprietor was in, and he said "No." That is all I can recollect.

Q. You didn't ask this man if the persons who were employed in that stable slept there, did you?—A. I didn't ask that: I asked a question similar to that.

Q. Now, don't volunteer anything—

Mr. HOLT CAMP. Go ahead and answer in your own way.

A. I asked if anybody lived there, and he said they did not.

Mr. FRUMBERG. Did you ask this man whether the persons who were employed in this stable slept there?—A. I did not.

Q. Take 211 and 215 South Sixth street, where there were 25 persons registered. Whom did you see there?—A. I seen the gentleman in the office and asked for Mr. Wand, the proprietor of the stable, and they said he was not in just then: I asked if he belonged to the stable, and he said he did, and I told him I wanted to know who lived here, and he said nobody lived there, that it was a livery stable. I asked when Mr. Wand would be in, and he said he didn't know, and I left.

Q. Never went back to see Mr. Wand, did you?—A. No, sir.

Q. You didn't ask this man the same form of question you asked the other man at 507 North Channing avenue?—A. I asked similar questions.

Q. Why didn't you ask the same questions?—A. The questions were similar—whether anybody lived there and whether he belonged there.

Q. Did you ask this gentleman whether or not the persons employed by Mr. Wand slept at the stable?—A. No, sir.

Q. Did you ask him if there were sleeping apartments there for the men?—A. I asked if anybody lived there and he stated no.

Q. You didn't ask if anybody stayed there?—A. I asked if anybody lived there.

Q. Do you know anything about livery stables? Don't you know as a matter of fact they have sleeping apartments for the employees there?—A. No, sir.

Q. Don't you know that Mr. Wand has one of the largest livery establishments in St. Louis?—A. No, sir.

Q. Never heard of Tom Wand?—A. No, sir.

Q. 3865 Forest Park Boulevard—who did you see there?—A. I seen one of the colored men: I judge he worked there. Went in and out.

Q. Did you go to the office of the stable?—A. No, sir.

Q. Why didn't you go there? Don't you know that is the best place to obtain information?—A. I didn't know there was an office there. I looked for the office and didn't see any office sign.

Q. What kind of a building is that?—A. To the best of my knowledge it is a building used as a stable.

Q. How large is it, to the best of your recollection?—A. I can't say.

Q. How was it divided?—A. I can't say.

Q. How many were registered from this place?—A. I don't know.

Q. Did you report to Mr. White the number registered from that building?—A. No, sir.

Q. Detective White?—A. I didn't know how many there were.

Q. What did you say to the man you saw there?—A. I asked him if he belonged there; asked whose place it was and he said it was Butler's stable. He asked if I was going to take a picture and I said yes, and he passed along.

Q. Did you ask him who slept there?—A. I did not.

Q. Did you ask him if they had apartments there for the employees to sleep?—A. No, sir.

Q. Did you ask who slept there?—A. No, sir. He stated to me it was Butler's stable. A stable apartment for horses, to my knowledge.

Q. Don't you know that that is a very elaborate building?—A. I can't say.

Q. You have no knowledge of the buildings and still you photographed possibly fifteen or twenty different buildings for the purpose of this contest?—A. Yes, sir.

Q. You have no knowledge of any building?—A. No, sir.

Q. Do you know the dimensions of this building, about?—A. No, sir.

Q. Isn't it a modern structure?—A. I seen the front of it; just the same as the picture, and that is all the knowledge I have of the building. I can't say whether it is a barn or a hotel. He told me it was Butler's stable.

Q. You can't say whether it was a hotel or stable? If you had not been told it was a stable you would not know?—A. I would not have known any more about the building than by the front.

Q. Did you see a sign in the center in the top of this structure indicating what it was?—A. I seen a sign at the top—"Excelsior Hauling Company."

Q. Excelsior Hauling and Transfer Company?—A. Yes, sir.

Q. Did you examine the interior of this structure? Do you know whether there were cots or beds there?—A. I can't say.

Q. Don't you know as a matter of fact that parts or portions of this building are partitioned off for the purposes and object of making places for persons to sleep there?—A. I do not.

Q. 810 North Tenth street; what kind of a building is that?—A. To my recollection, it was a two-story building which, upon inquiry, I found a party by the name of Jo. Valentine lived in, an Italian, I think—appeared to be an Italian. I asked him how many rooms there were there and if he lived there. He said he did. There were four or five rooms, to my recollection. I inquired of so many I can't keep track of them.

Q. For your information I will say there were six rooms.—A. Maybe so.

Q. You didn't ask if anybody else lived there?—A. I asked if he lived there and he said he did.

Q. You didn't ask, "Does anybody else live here?"—A. No, sir.

Q. Take Exhibit 47, 509 and 511 Spruce street. What kind of an establishment is that?—A. To my recollection, that was a lodging house.

Q. Did you ask how many lived there?—A. No, sir.

Q. Did you visit 521 Spruce street?—A. Yes, sir.

Q. Whom did you see there?—A. Seen the gentleman at the office and asked him who lived there. He said nobody lived there. It was the St. Louis Physicians' Supply Company.

Q. Did he tell you how many persons were employed there?—A. No, sir; I didn't ask that. I asked who lived there. I did not ask who slept there.

Q. As a matter of fact, Mr. Witness, you never asked any of the persons who responded to your call at the places of residence or the premises which you have photographed who slept there or who lived there, did you?—A. I certainly did.

Q. What did you say?—A. In which instance?

Q. Generally speaking? Did you ask who slept there?—A. No, sir.

Q. Did you ask who worked there?—A. No, sir.

Q. If it was a lodging house or a rooming house, did you ask the names of the persons or the number of those living there?—A. No, sir.

Q. You did not?—A. No, sir.

Not being able to complete the taking of said depositions by reason of lack of witnesses, I hereby adjourn the further taking of same until this evening, at 7.30 p. m., at the place mentioned in the caption.

7.30 P. M.

Mr. RICHEY. We now offer in evidence copy of the testimony of Harry B. Hawes in the contested election case of Horton against Butler, before the Fifty-seventh Congress of the United States, as such testimony appears from page 113 to page 433, volume 1 of the printed official proceedings in the said Horton-Butler contested-election case, and ask that it be marked "Contestant's Exhibit A of January 31, 1902."

Attorney for contestant objects to the introduction of said evidence in this controversy on the ground that it has absolutely no bearing on any issue involved in the present proceedings, and as being incompetent, irrelevant, and immaterial.

Mr. RICHEY. I will say on behalf of contestant that when Mr. Harry B. Hawes was placed on the stand in this case by contestee's attorney he declined on cross-examination to answer some of the questions asked him on behalf of contestant. Contestant knows of no other way that will serve the purpose so well of getting this information as to make a copy of his testimony on the same subject before the same Congress a part of this evidence.

Mr. FRUMBERG. Attorney for contestee desires to state that it is within the province of any witness to refuse to answer any question upon certain grounds, and Mr. Hawes availed himself of this privileges in giving his testimony.

(Said exhibit is marked by the notary "Contestant's Exhibit A.")

Mr. RICHEY. We offer in evidence a certified copy of the statement of the treasurer of the Missouri State Democratic central committee, as filed in the office of the recorder of deeds of the city of St. Louis, under the requirements of the Revised Statutes of Missouri for the year 1899, that the receipts and expenditures of political committees in Missouri shall be set out in detail and filed of record. Said report shows that of the entire sum of \$44,323.45 received by the State committee of the Democratic party at the last election, for the campaign in Missouri, the sum of \$21,229.20 was received as contributions from the police department of the city of St. Louis.

We ask that the same be marked "Contestant's Exhibit B of January 31, 1902."

(Objected to on the ground that said evidence has absolutely no bearing on any of the issues involved in this controversy, and is incompetent, irrelevant, and immaterial.)

(Said paper is marked by the notary "Contestant's Exhibit B of January 31, 1902.")

Mr. RICHEY. We offer in evidence certified copy of indictment No. 4781, for the year 1903, in the United States district court for the eastern division of the eastern judicial district of Missouri, of Jacob Kaplan, Nathan Levin, and Joe Fromson, said indictment being in connection with naturalization frauds.

We ask that this be marked "Contestant's Exhibit C of January 31, 1903."

(Objected to on the ground that it is incompetent, irrelevant, and immaterial. The fact that these parties were indicted has absolutely nothing to do with any of the issues involved in this controversy; that the persons indicted are residents of and voters outside of the Twelfth Congressional district.)

Mr. RICHEY. It is in evidence on behalf of the contestee, through a member of the board of police commissioners of the city of St. Louis, that the Hebrew Jefferson Club is a branch of the Jefferson Club of the city of St. Louis, which Mr. Harry B. Hawes declared in his testimony, given also on behalf of the contestee, to be the dominant political force on behalf of the Democratic party in the city of St. Louis.

Mr. FRUMBERG. Contestee's attorney desires to state that admitting for the sake of argument it was a branch of the Jefferson Club, that in itself does not have any bearing upon any of the issues involved in this controversy. A man is not responsible for the action of the United States grand jury with reference to any indictment that they might find.

Mr. RICHEY. And the three indicted parties set forth in Exhibit C will be shown to be connected as officers of the Hebrew branch of the St. Louis Jefferson Club.

Mr. FRUMBERG. Attorney for contestee desires to state most emphatically that they are neither of them or any of them officers of the Hebrew branch of the Jefferson Club, and that the statement so made by Mr. Richey, attorney for contestant, is absolutely untrue and false.

Mr. RICHEY. And the remaining person in the indictment is an officer of the Metropolitan police force of the city of St. Louis.

Mr. FRUMBERG. Assuming that he is a member of the Metropolitan police force of the city of St. Louis, there is no evidence to connect him in any way with any of the issues involved in this controversy. Mr. Butler is not responsible for any act or acts of any person who is a member of any political organization in the city of St. Louis. Any person desiring to become a member of any political organization may do so.

Attorney for contestee desires to state in addition that the man Levin, heretofore referred to as having been indicted by the United States grand jury, is the man who ran for a member of the house of delegates on the Republican ticket against a Democratic candidate at the election two years ago.

(Said paper is marked by the notary "Contestant's Exhibit C of January 31, 1903.")

Mr. RICHEY. We also offer in evidence a portion of the first page of the Globe-Democrat of date January 31, 1903, entitled "Sam Weismann arrested," a marked article, and ask to have the same marked as "Contestant's Exhibit D of January 31, 1903."

(Objected to on the ground that the fact that Mr. Weismann or anyone else was indicted by the United States grand jury has absolutely no bearing upon any of the issues involved in this controversy, and the fact that the United States grand jury indicts anyone is irrelevant, incompetent, and immaterial for the purposes of this contest.)

(Said paper is marked by the notary "Contestant's Exhibit D of January 31, 1903.")

Mr. RICHEY. We next desire to offer in evidence portion of the first page of the St. Louis Globe-Democrat of January 24, 1903, being part of an article entitled "Voters made to order. Federal grand jury returns indictments against persons connected with alleged naturalization mill. Patrolman Kaplan and Nathan Levin arrested." We ask that the same be marked "Contestant's Exhibit E of January 31, 1903."

(Objected to on the ground that it is incompetent, irrelevant, and immaterial and has no bearing upon the issues involved in this controversy. The fact that the grand jury of the United States has indicted anyone does not in any way enlighten the members of Congress as to the issues in this case, and those who have been indicted by the grand jury are citizens living outside of the Twelfth Congressional district.)

(Said exhibit is marked by the notary "Contestant's Exhibit E of January 31, 1903.")

Mr. RICHEY. We offer in evidence article appearing on page 3 of the St. Louis Star of January 30, 1903, entitled "Law claims two Jefferson Club presidents—Other is after the law," said article being illustrated by a picture of Nathan Levin, president of the Hebrew branch, indicted for complicity in big naturalization frauds; William Lee, president negro branch, indicted for wholesale fraudulent registration; Harry Hawes, big president, who would prevent conferees from violating law," and ask that the same be marked "Contestant's Exhibit F of January 31, 1903."

(Objected to as incompetent, irrelevant, and immaterial; that the persons mentioned as having been indicted live outside of the Twelfth Congressional district; and also on the ground that the fact that those persons are indicted has absolutely nothing to do with any of the issues involved in this controversy.)

(Said exhibit is marked by the notary "Contestant's Exhibit F of January 31, 1903.")

Mr. RICHEY. We also offer in evidence portion of page 14 of the St. Louis Globe-Democrat of January 28, 1903, containing marked article entitled "Froomson surrendered," beginning "Joseph Froomson, secretary of the Hebrew branch of the Jefferson Club, surrendered to the United States marshal yesterday," etc., and ask that the same be marked "Contestant's Exhibit G of January 31, 1903."

(Objected to on the ground that said exhibit is incompetent, immaterial, and irrelevant. The fact that Mr. Froomson surrendered or that General Burgoyne surrendered has absolutely the same bearing on the issues involved in this controversy.)

(Said exhibit is marked by the notary "Contestant's Exhibit G of January 31, 1903.")

Mr. RICHEY. We offer in evidence marked article appearing on page 4 of the St. Louis Post-Dispatch of November 3, 1902, entitled "Vote down corruption," in which the following language is used: "The Post-Dispatch urges voters to defeat every candidate who is unfit or who is associated with or is under the influence of the Ziegenhein or Butler gangs," etc., and ask that the same be marked "Contestant's Exhibit H of January 31, 1903."

(Objected to as incompetent, irrelevant, and immaterial, whether or not the Post-Dispatch has referred to the Ziegenhein or Butler gangs, as having no bearing on the issues involved in this controversy.)

(Said exhibit is marked by the notary "Exhibit H of January 31, 1903.")

Mr. RICHEY. We next offer in evidence a page of the St. Louis Post-Dispatch of October 30, 1902, containing article marked with blue pencil, reading as follows: "The fact that Mayor Wells refuses to indorse the entire Democratic ticket from top to bottom is to his credit. It gives force to his statement that he appeals to the voters not as a partisan, but as a citizen and official interested in good government. This is the platform upon which all good citizens should stand in the local elections. The Post-Dispatch appeals to all voters in this crisis in the progress of St. Louis to lay aside partisan feeling and vote and work for the purification and the good of the city. Vote for none but upright and clean candidates, especially in all offices connected with the administration of justice. Vote down every friend of either of the vicious Ziegenhein or Butler gangs." Vote for new St. Louis. We ask that the same be marked "Contestant's Exhibit I of January 31, 1903."

(Same objection.)

(Said exhibit is marked by the notary "Contestant's Exhibit I of January 31, 1903.")

Mr. RICHEY. We next offer in evidence a page of the St. Louis Republic of Monday, November 3, 1902, containing two marked articles, one entitled "Survey

of the field," and declaring "Messrs. Wells and Folk hold practically the views about this election which the Republic has urged. They are anxious for a continuation of good government. They are good citizens. Their only aim is municipal betterment. They call upon the people to defeat the representatives and friends of Butler and Ziegenhein, Schawaker, and the old gang. They are against Jim Butler for Congress."

Also editorial article on the same page entitled "Cut off the unfit," employing the following language: "Vote against Jim Butler, Bobby Carroll, Jim Cronin, and all the pseudo Democrats of that stripe who bring discredit on the party."

We ask that the same be marked "Contestant's Exhibit J of January 31, 1903."

Mr. FRUMBERG. It is evident, however, from the returns that the citizens did not follow that advice and suggestion, but voted directly to the contrary, as is evidenced by the election of those gentlemen to the various offices for which they were candidates.

We object to the introduction of this evidence, on the ground that it is incompetent, irrelevant, and immaterial, has no bearing on the issues involved in this controversy, and these articles are only introduced into this record for the purpose of prejudicing the minds of persons not on the ground and not acquainted with the real state of affairs, by virtue of the antagonism displayed by the newspapers of St. Louis against the Democratic ticket in the last election.

(Said exhibit is marked by the notary "Exhibit J for contestant of January 31, 1903.")

Mr. RICHEY. We also offer part of page 6 of the St. Louis Republic of Thursday, October 2, 1902, containing marked article reading as follows: "St. Louis Democracy will be guilty of suicidal tactics if the approaching convention nominates the men who stand for Butlerism and the resumption of municipal boodling. The people of this city will have no more of Butler or of boodling if careful attention to civic duties at primary or polls can prevent." We ask that the same be marked "Contestant's Exhibit K of January 31, 1903."

(Objected to on the same grounds, and attorney for contestee desires to state that notwithstanding the very solicitous suggestion to voters on the part of the newspapers the persons mentioned were nominated and elected by overwhelming majorities all over the city of St. Louis.)

Mr. RICHEY. Contestant's attorneys object to this method of injecting foreign matter into the record as is being done by counsel for contestee.

(Said exhibit is marked by the notary "Contestant's Exhibit K of January 31, 1903.")

Mr. RICHEY. We next offer in evidence copy of an article published in the St. Louis Globe-Democrat of December 27, 1893, and ask that the same be marked "Contestant's Exhibit L."

We also offer in evidence copy of an article that appeared in the Globe-Democrat of the city of St. Louis of January 10, 1894, entitled "Walked the plank," and ask that the same be marked "Exhibit M for contestant of January 31, 1903."

Mr. WALSH. We object to the introduction of the articles referred to as not in rebuttal of anything that has been introduced on the part of contestee. I will state now that if you persist in introducing this matter into the record, we propose to bring into the record the matter of the killing of Seth O. Higgins by George C. R. Wagoner, Ed. Wagoner, Arthur Weber, and Martin Gazelle on the 14th day of March, 1893; at least that is the day on which the assault was made; also of the fact that Martin Gazelle was the only man who was tried on the charge of manslaughter in the fourth degree, and Martin Gazelle was fined \$500, and that finding subsequently appealed to the appellate court, where that judgment was sustained. George C. R. Wagoner, Ed. Wagoner, and Arthur Weber have never been brought to trial; that their case was continued by a Republican judge and a Republican circuit attorney; that the papers have been stolen from the records of the criminal court, and that the case is still pending against George C. R. Wagoner.

Not only that, but we will show that George C. R. Wagoner is a regular habitue of Hatty Stewart's place of ill fame, Twenty-third and Washington avenue, or Lucas avenue, in that vicinity, and that most of the Republican caucuses have been held there, in which George C. R. Wagoner took part.

Mr. HOLTCAMP. You can make all the speeches you want—

Mr. WALSH. All right. I am sending for those papers.

Mr. HOLTCAMP. Your case is closed.

Mr. WALSH. Your case is closed as to your direct evidence long ago, and this is not in rebuttal of anything introduced by the contestee. You asked that nothing personal be brought in here—

Mr. HOLTCAMP. We did not ask that. You made the threat that if we did not

conduct this examination as you desired to have it that you would call up this matter that you have now called up.

Mr. WALSH. Yes; and I will produce the records and prove everything I have stated, I will.

Mr. FRUMBERG. We object further to the introduction of Exhibit L on the ground that the persons named in the article were tried by a judge and jury, and the jury rendered a verdict discharging the defendants, after having been out three minutes, and that this article has absolutely no bearing upon the issues involved in this controversy and is only introduced for the purpose of making Mr. Butler's character appear to be invidious and placing a stain upon his reputation, and it will not aid Congress in determining as to whether or not any fraud has been permitted in the city of St. Louis during the last election. We further object on the ground that this is not matter in rebuttal, but is direct evidence, and is not introduced at the proper time, if it were material.

We object to the introduction of Exhibit M on the ground that the article referred to is incompetent, irrelevant, and immaterial, having no bearing on any issue involved in this controversy; that the action taken by Mayor Walbridge with reference to Mr. Butler was the same as adopted by him with reference to other Democratic officeholders; that he dispensed with their services as well as Mr. Butler's at that time. We also object to the introduction of this article upon the further ground that it is not in rebuttal, but is direct evidence, and is not introduced at the proper time.

Mr. RICHEY (to the notary). I ask that this hearing be adjourned to 10 o'clock Monday morning.

Mr. FRUMBERG. We have some records to introduce in evidence.

Attorney for contestee desires to state—[to the notary]—Are you going to adjourn this meeting now?

Notary SAUNDERS. Yes; as soon as you get through.

Mr. FRUMBERG. Notwithstanding the fact that contestee's attorney desires to introduce certain records in evidence bearing upon the character of one of the persons vitally involved in this controversy? You are only doing that for the reason that these methods and tactics have been adopted by the attorneys for contestant. We concede, however, that this matter has nothing to do with the issues involved in this matter. We merely do this as retaliatory matter.

The NOTARY. At this point, by reason of lack of time, I hereby adjourn the taking of said depositions until Monday morning at 10 o'clock, at the place mentioned in the caption.

Mr. FRUMBERG. I have not finished my objection.

Before closing Mr. Frumberg desires to state that he is shut off from introducing these records by the notary, who well knows, notwithstanding the fact that he has adjourned this examination until 10 o'clock Monday morning, that the time expires at midnight to-night.

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FOURTH WARD.

Sixth precinct	548
Eighth precinct	550

FIFTH WARD.

Second precinct	570
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THIRTEENTH WARD.

Fifth precinct	573
Twelfth precinct	566

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Poll books used at the election held November 4, 1902, filed with depositions of Daniel J. McCarthy and George Gunsollis.

FOURTEENTH WARD.

Second precinct	552
Fifth precinct	555
Tenth precinct	560

TWENTY-SECOND WARD.

Eleventh precinct	577
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TWENTY-THIRD WARD.

Third precinct	580
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Poll books used at the election held November 4, 1902, filed with depositions of Thomas Cannon and Henry Streutker.

FIFTH WARD.

Third precinct	611
Fifth precinct	620
Ninth precinct	593

SIXTH WARD.

First precinct	587
Third precinct	608
Twelfth precinct	590

THIRTEENTH WARD.

Seventh precinct	623
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FOURTEENTH WARD.

Seventh precinct	584
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FIFTEENTH WARD.

First precinct	616
Tenth precinct	596
Eleventh precinct	618

TWENTY-SECOND WARD.

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